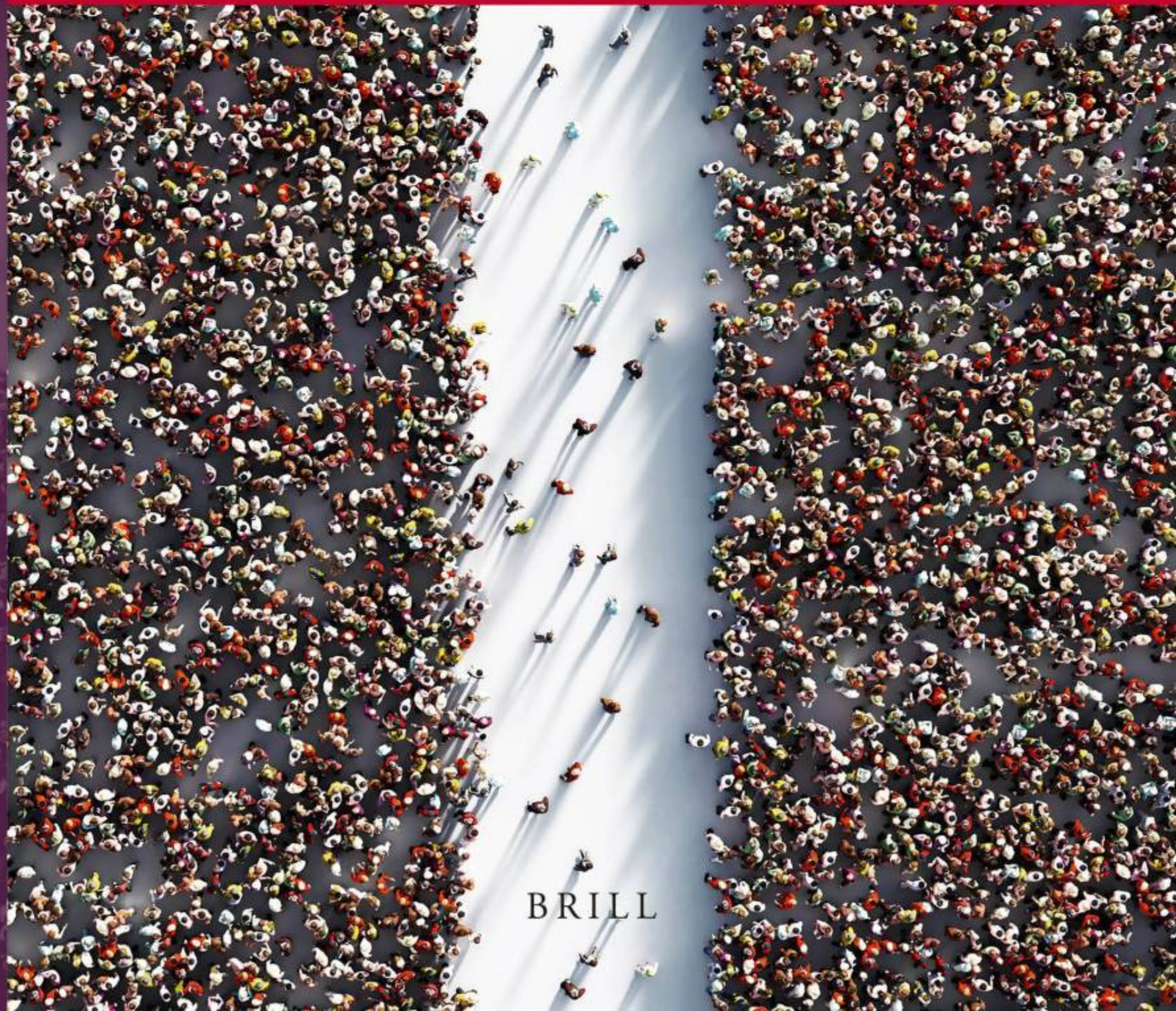
STUDIES IN POLITICAL ECONOMY OF GLOBAL LABOR AND WORK | 1

# GLOBAL RUPTURE

## *Neoliberal Capitalism and the Rise of Informal Labour in the Global South*

Edited by
**Anita Hammer and Immanuel Ness**



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Global Rupture

# Studies in the Political Economy of Global Labor and Work

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# Notes on Contributors

**Editors**

*Anita Hammer*

Anita Hammer is Reader in Sociology of work and employment, University of Essex, UK, and a research collaborator with Euro-Canadian network on Globalisation and Work, CRIMT. Anita's research draws upon Marxian political economy and labour process analysis to examine informal and precarious work, automation and the future of work debates, and workers' collective organisations in the Global South, with a particular focus on India and the Middle East. She has co-edited *The Political Economy of Work in the Global South: Reflections on Labour Process Theory* (2020) and 'Informal and Precarious Work in the Global South' (*Journal of Labor and Society*, 2021). Anita serves on the editorial board of *Work Employment and Society*, *Work in the Global Economy*, Journal of Industrial Relations and *Journal of Labor and Society.*

*Immanuel Ness*

Professor of Political Science, Brooklyn College, City University of New York and Visiting Professor of Sociology at University of Johannesburg. Ness is author of numerous books and articles on labour, workers' movements, migration, and political economy. He is editor of the peer-review periodical, *Journal of Labor and Society*. His most recent publications include *Organizing Insurgency: Workers Movements in the Global South*, *The Oxford Handbook of Economic Imperialism*, and *Migration and Economic Imperialism*.

**Contributors**

*Ayman Adham*

Ayman Adham is Assistant Professor in Management Studies at the Department of Business Administration, Umm Al-Qura University, Saudi Arabia. Ayman adopts an interdisciplinary approach and draws on political economy frameworks, especially contemporary debates on comparative capitalisms and labour process analysis. His research is concerned with the specificities of state-capital-labour relations in Saudi Arabia and examines issues of labour market segmentation, state policies of Kafala and Saudisation, working conditions, and the role of concealed businesses (tasattur) among others.

*Safak Tartanoglu Bennett*

Dr. Safak Tartanoglu Bennett is a Research Fellow at Centre for Research on Employment and Work (CREW), University of Greenwich since 2019. Prior to

this, she worked as a Lecturer at the University of Manchester, Alliance Manchester Business School. She took research and teaching posts at University of Duisburg-Essen, Germany, Uludag University, Turkey and a visiting position at University of Strathclyde, Glasgow. She is also working as an editorial assistant at the Work in Global Economy (WGE) journal. Her research focuses on work and employment relations, control and resistance in organisations and informal worker representation.

*Shanka P. Dharmapala*

Shanka P. Dharmapala is a freelance consultant with more than 20 years of work experience, and most of his work contributed to interventions concerning vulnerable communities and businesses affected by natural and human-made disasters. He lived amongst the communities affected by ethnic conflict and violence, pervasive poverty, and political disparities and where he saw and drew upon lessons from their daily lives and struggles. Dharmapala's research analyzes and strategizes advocacy actions for civil society especially addressing gender inequalities and injustices in organizations. He holds an MBA apart from a bachelor's degree in agricultural science. He resides in Colombo, Sri Lanka.

*Rodolfo Elbert*

Rodolfo Elbert, Professor of Sociology at Universidad de Buenos Aires and Researcher at Conicet-Instituto de Investigaciones Gino Germani. He finished his Ph.D. in Sociology at the University of Wisconsin, Madison, and BA and MA degrees in Sociology at Universidad de Buenos Aires, Argentina.

*Danisha Kazi*

Danisha Kazi has a PhD in Economics from the School of Oriental and African Studies, London, UK. Her PhD thesis developed a political economy critique of the labour market flexibility debate and informalized labour in India's automotive sector. Her Research interests include macroeconomics, political economy of industrial labour, the role of the state, and capitalist development. She currently works as a Senior Economist researching monetary and financial sector reforms.

*Bridget Kenny*

Bridget Kenny is Professor of Sociology at the University of the Witwatersrand, Johannesburg, South Africa. She works on political subjectivity, gender and race in service work and precarious employment. Her books include *Retail Worker Politics, Race and Consumption in South Africa: Shelved in the Service Economy* (Basingstoke: Palgrave Macmillan, 2018) and *Wal-Mart in the Global*

*South*, co-edited with Carolina Bank Muñoz and Antonio Stecher (Austin: University of Texas Press, 2018).

*Nripendra Kishore Mishra*

Nripendra Mishra is Professor in Department of Economics at Banaras Hindu University (BHU), India. He has 26 years of teaching and research experience, specialising in development economics and was a visiting researcher at Rural Development Institute, Chinese Academy of Social Sciences, Beijing. Prof Mishra has published more than 25 research papers in respected journals and has completed 9 research projects funded by national and international agencies. His work with NCEUS and the Ministry of Minority Affairs has had a significant impact on policy making. Professor Mishra, and his collaborators have successfully created a panel of poor households with a gap of twenty years in impoverished regions of India. His recent book, *Development Challenges of India after Twenty Five Years of Economic Reforms*, has received widespread acclaim. Prof Mishra is associated with many professional organisations and journals in various capacities.

*Sofía Negri*

Sofía Negri, Ph.D. Candidate at Queen Mary University of London, holds a Masters' degree in Social Research Methods from the London School of Economics and Political Science and conducts research on the platform economy and workers' political organisation and mobilisation.

*Lorena Poblete*

Lorena Poblete is a researcher at CONICET (Argentina's National Research Council) and Professor at the Universidad Nacional de San Martín. She holds a PhD in Sociology from the *École* des Hautes *Études* en Sciences Sociales (Paris, France). She was a visiting scholar at the Université de Lille 1 and Université de Nantes (France), Frei Universität Berlin and Europa-Universität Viadrina (Germany), Princeton University (USA), and McGill University (Canada). She is a 2021–24 fellow of the Alexander von Humboldt Foundation. Her research is broadly focused on labour regulations, social security regimes and labour institutions. Currently, her research focus on regulation of paid domestic work in Latin America.

*Anna Salmivaara*

Anna Salmivaara is a doctoral researcher in Global Development Studies at the Faculty of Social Sciences of the University of Helsinki, Finland. She received her MA in Social Science History from the same faculty. Her doctoral research examines labour's struggles in the Cambodian garment industry. She

has previously worked on labour, development and human rights for the ILO, the Office of the UN High Commissioner for Human Rights, as well as in the NGO sector.

*Dolores Señorans*

Dolores Señorans, Ph.D. in Social Anthropology (2018), University of Buenos Aires and École des Hautes Études en Social Sciences, is a British Academy Newton International Fellow in the Department of Social Anthropology, University of Cambridge. She is also a research associate of the team *Antropología en Colabor* based at the Faculty of Philosophy and Literature, University of Buenos Aires, and the Worker's Centre for Innovation, Metropolitan University for Education and Work in Buenos Aires, Argentina. Her research interests focus on popular economies and collective labour politics in the context of processes of dispossession and the precarisation of life in Latin America, particularly Argentina.

*Amal Shahid*

Amal Shahid is a PhD Candidate at the Department of International History, Graduate Institute of International and Development Studies, Geneva. Previously, she was a Teaching Assistant for the Department of Interdisciplinary Masters at the Graduate Institute Geneva, and an Exchange scholar at Department of Anthropology at Yale University. Her research interests include History of Imperialism and Development, Labour Studies, and Political Economy.

*Ilona Steiler*

Ilona Steiler holds a PhD in Development Studies from the University of Helsinki, Finland. Her recently published dissertation discusses how conceptions of and interventions into the informal economy in Tanzania impact on labour organization, legal protection and state-society relations. Her research interests focus on current transformations in the world of work and in global capitalism, the future of work and of labour regulation, and sustainable development.

*Tulika Tripathi*

Tulika Tripathi holds a Ph.D. in Economics and is on the faculty of the Centre for Studies in Economics and Planning at Central University of Gujarat, Gandhinagar, India where she teaches graduate courses in development economics, health economics and research methodology. Her research explores the nuances of capability approach, labour market participation, gender and health issues, as well as long term care givers, violence against women, female labour force participation and women's empowerment. She has published in

national and international journals including *Economic and Political Weekly*, *MARGIN*, *Indian Journal of Labour Economics*, and *Journal of Social and Economic Development* She is on the executive council of the Indian Society of Labour Economics, coordinator of South Asia Network of Human Development and Capabilities Association.

# Introduction

*Anita Hammer and Immanuel Ness*

## 1 Introduction

This book addresses a crucial dimension of work worldwide—informal and precarious labour. This form of labour remains an enduring reality across the Global South and is growing fast in the North. Over the past few years, literature on informal and precarious labour has expanded dramatically as global supply chains and global value chains have revealed the global integration of the production process for consumer products and services. Increasing recognition that informal and precarious work is the norm globally rather than the exception has ignited debates around analytical frames, activist strategies and development interventions. This volume makes a key intervention in these debates drawing upon theoretically informed rich case studies from across the Global South. It provides a corrective to most of the literature in the field by focusing on labour in the Southern regions where the vast majority of work is precarious.

For labour in the Global South precariousness has long been a distinctive feature of their working lives (Breman 2010; Hammer 2019; Hammer and Fishwick 2020) and increasingly prevalent due to the imposition of neoliberalised capitalism by the US and its allies (Ness 2016; 2021). It is only recently that this category of re/emerging work has begun to gain attention in the North where it signifies a shift away from the standard employment relationship, and from welfare and labour market protections (Kalleberg and Vallas 2017; Taylor 2017; Moore et al. 2018; Hammer and Plugor 2019). As Breman and van der Linden (2014) argue, labour informalisation is now becoming a global norm and it is the 'West' now following the 'Rest' with regard to precarious labour relations. The persistence and growth of informal and precarious labour raises questions about its importance to accumulation under globalising capitalism, the role of the state in creating/sustaining it, and implications for class dynamics and political agency of labour.

This book aims to make three key contributions to scholarship. First, it argues that informal and precarious labour is central to accumulation, and conflict between capital and labour is crucial to understanding the differentiation of work and labour across the Global South. The asymmetric balance of power between capital and labour and the role of the state in instituting informal and precarious labour regimes are critical forces shaping accumulation.

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Capital actively reshapes the composition of the workforce to restrict the bargaining power of labour and reduce the value of labour power through mobilising social differences and divisions. Global value chains and production networks break up and reconstitute labour processes and informalise labour, further weakening labour (Hammer and Riisgaard, 2015; Mezzadri, 2017). The state holds a key role in constructing informal and precarious work, not only through defining the scope of regulations but also by shaping the power relations between capital and labour.

Second, it maintains that a focus on experiences and struggles of informal and precarious labour in the South and the challenges it poses to political organisation, contributes to a better understanding of this growing form of work and labour globally. As argued by Breman (2013; see also Munck 2013, Ness 2021), and illustrated in the contributions in this collection, there are different histories of work and inequalities in power and wealth between workers in the North and South. It is important to acknowledge and learn from labour struggles in the South to grasp the dominant regimes of precarity that have grown exponentially due to urbanisation, migration, and neoliberalised capitalism. Through detailed case studies from across the Global South, this volume contends that informal and precarious labour needs to be studied as embedded in concrete, historical, political and social contexts. Such an analysis highlights the heterogeneity and complexity of intersecting social and material relations that underpin informal and precarious work and which has crucial implications for accumulation, class dynamics and political agency of labour.

Third, the contributions to this volume make a crucial intervention in current debates on labour struggles in the Global South. Highly exploited workers do challenge capitalist regimes of oppression. The challenge is of addressing the fragmentation of labour while underlining its shared position as members of the exploited class and maintaining focus on the core antagonism between capital and labour. What does this mean for labour's agency and collective action, and political outcomes for informal and precarious workers who labour under the same capitalist relations as formal workers? In the first two decades of the 21st century, we have observed the emergence and proliferation endorsing the development of widespread protest among the working class against their abysmal socio-economic conditions. The publication of Hardt & Negri's Empire (2000) and Multitude (2004) challenged the efficacy and authenticity of working-class organisations as ineffective interlopers who had wrested the autonomous power of the amorphous popular majorities who are oppressed by a vaguely defined state and corporate establishment. The working class that had been viewed as the primary agency for social transformation by Marx was

jettisoned by Hardt and Negri and their acolytes and replaced by a collective opposition to established, or constituted power. Autonomous organisation replaced the political party as the primary driver of revolutionary transformation as the nebulous and collective 'multitude' replaced the working class as the oppressed classes. Left and radical social scientists adopted Hardt and Negri's approach, re-treaded from previous eras of capitalism, positing that the working class was not a dialectical force at a time when precarisation was growing and expanding in the South and worldwide.

The chapters of this book challenge the prevailing views and emphasise two key points: First, we view labour as the transformative and dialectical force in society, which is expanding dramatically as the proletarianisation of labour has contributed to the vast expansion on a global scale. Only today, the working class does not only cast a spectre for Europe, as Marx and Engels wrote in the Manifesto of the Communist Party, but now proliferate throughout the planet, chiefly in the South. Far more labourers than ever before have been proletarianised in the last half century than in the two previous centuries. This multifarious working class possess the capacity for social and systemic transformation, yet just as their numbers have grown so dramatically, they are in a weakened position due to the entrenchment of neoliberalised capitalism. The second major change is the decline in representative working-class organisation. We argue that social protest decidedly arises from the working class, but organisational representation has not kept pace with the advancing proletarianisation and rise in social protest. Thus, the present conjuncture lacks the militant revolutionary labour organisation found in the global North during the Fordist age, and has even declined in the South, as the spread of neoliberalism mitigates against the formation of strong and militant social organisations necessary to challenge capital and the state (Ness 2021).

The case studies in this collection demonstrate that the working class is undeniably engaged in social protest with opportunities for mobilisation and solidarity among formal and informal and precarious workers, among urban and rural labour, resulting in resistance which is often more inclusive and broader spatially. However, the lack of class organisation weakens their power and capacity to challenge capitalism. Labour militancy, strikes, and protests will bring concrete benefits for the working class in the near term and long term, In the absence of constitutive organisation, workers struggles will not lead to tangible improvements in conditions or the transformation of oppressive societies.

The novelty of this collection stems from the diverse methodological approaches and the integrated theoretical and empirical analysis adopted by the contributions. They transcend traditional dichotomies of

production-reproduction, workplace-living areas, urban-rural labour, and formal-informal labour to examine informal and precarious labour through a lens of interconnectedness of these spheres and realms. The diverse contextual realities of work across the South are supported by rich, bottom-up case studies. This volume adopts a multi-disciplinary approach drawing upon anthropology (Senorans), history (Shahid, Kenney), sociology (Adham and Hammer, Elbert and Negri, Tartanoglu Bennett, Dharmapala), economics (Tripathi and Mishra), political economy (Salmivaara, Steiler, Kazi), and socio-legal approaches (Poblete). The contributions mobilise a range of analytical frameworks, for example feminist approaches, global value chains, labour process and regimes, gendered regimes, social reproduction and labour process analysis. They present workers' and unions' voices, while also engaging with state actors, national/local institutions and international organisations and frameworks.

## 2 Informal and Precarious Labour: Exploitation and Accumulation

Informal work refers to work and employment which is low paid (often at subsistence level), insecure, unregulated and unprotected, i.e., without an employment contract or access to representation and social security. According to the International Labour Organization (ILO, 2018), 85.8 per cent of total employment in Africa, 71.4 per cent in Asia and the Pacific, 68.6 per cent in the Arab States and 53.8 per cent in the Americas is either informal (based in the informal economy) or informalised (situated within formal production but based on informal relations). Total informal employment for emerging and developing economies is at 69.6 per cent and the extension of processes of precarisation across the whole Global North makes it 61.2 per cent at world level. In the North, a more widely used term is 'precarious work', referring to work and employment which transfers social and economic risks from private business and state institutions on to workers through common features like low pay, employment insecurity and insufficient social protection (Kalleberg, 2009). Since it often takes the global North as its starting point precariousness signifies a shift away from welfare and labour market protections (Standing, 2011; Kalleberg & Hewison, 2013). Yet, precarity has long characterised informal work and employment in the South. Labour informalisation is an enduring historical fear in the South that extends through centuries of colonial rule and contemporary economic imperialism (Cope 2019; van der Linden 2021).

A focus on Southern realities of informal and precarious work reveals its embeddedness in concrete, historical, political and social contexts. It exposes

analytical complexities and concrete variations that stem from intricate and intersecting production and social relations, with crucial implications for accumulation and class dynamics of informal and precarious labour. Extremely heterogeneous in its composition and characteristics, informal work includes a broad range of production and employment relations – from informal employment as wage, casual or day labour, to unpaid family labour, to informal outwork to dependent self-employment to petty commodity production among others (Chen, 2007; Hammer, 2019). Underlying this heterogeneity are social relations of caste, community, gender, ethnicity and religion (Harriss-White and Gooptu, 2001). Production relations intersect and combine with these social differences and divisions. From this heterogenous landscape, capital selectively and differentially incorporates workers with some contributing to accumulation while others are pauperised, or a combination of both (Sanyal, 2007). The state holds a key role in constructing informal work, not only through defining the scope of regulations but also by shaping the power relations between capital and labour (Agarwala 2013; Kazi 2021).

Across the Global South exploitation can take many distinct forms (Banaji, 2011; Lerche, 2010). One of the ways scholarship on the South addresses the fragmentation of labour while underlining its shared position as members of the exploited class and maintaining focus on the core antagonism between capital and labour is through the concept of 'classes of labour' (Bernstein, 2007). Classes of labour include the growing numbers who depend (directly and indirectly) on the sale of their labour power for their daily reproduction through insecure and oppressive wage employment, often combined with a range of precarious farming and informal activity, across different sites of the social division of labour and along intersecting lines of inequality such as class, gender, caste, religion and ethnicity. Our approach questions suggestions examining unregulated work in both the Global North and South through the prism of insecurities or precarity (Beck, 2014; Standing, 2011) or the extent to which informal and precarious workers in the North and South present a class with a common interest (Standing, 2011; Wright, 2016). Breman (2013) highlights different histories of work and inequalities in power and wealth between workers in the North and South, while others emphasise acknowledging different needs as well as labour struggles in the South (Munck, 2013; Scully, 2016; Ness, 2016, 2021; Bieler and Nowak, 2021).

The growth of global value chains (GVCs) over the past 40 years has integrated production between nations. As a rule, Southern workers in countries are at the foundation of GVCs, engaged in the production of minerals, tropical fruits, clothing, electronics, automobiles, semiconductors, and other commodities that are typically sold in the advanced countries of the North (Cope 2019;

Dicken 2015). The South is now a key location of foreign direct investment for the construction of factories where contractors produce products for global distribution, due to the significantly lower wages there. Yet, concomitantly, frequently Southern contractors rely on the super-exploitation of labour where the subsumption of capital is limited, and value is extracted through use of poverty-wage workers; by and large, women and migrant labour from the countryside or abroad. It is not unusual for labourers in these industries to work nearby installations with high levels of capital investment.

The dramatic expansion of Economic Promotion Zones, regions created by states to attract foreign investment where taxes and wages are low, attract multinational corporations and FDI through providing an ample supply of precarious, exploited, and transient labourers, for example in the auto and electronics and auto sectors of India and Malaysia's semiconductor sector (Ness 2016; Ness 2021b; Neveling 2015). As a rule, manufacturing workers are rendered redundant by age 30, and replaced by younger lower-wage workers (Ghose & Kumar 2021). Global value chains replicate a global division of labour, where highly-exploited production and arduous work is supplied by the South and a segment of Northern labour is employed in high wage investment and technology firms (Suwandi 2019). Neoliberalised capitalism produces a global class structure dominated by skilled labourers in the advanced economies who profit from production and services performed by labourers in the South as well as migrant labourers who perform skilled and unskilled work and migrate across borders to perform indispensable social services and production work in the global North (Cross 2021; King 2021).

The essential role of informal and precarious labour in capital accumulation through GVCs and/or in wider political economy is analysed in a number of contributions in this volume. Shanka Dhrmapala's chapter on cinnamon peelers in Sri Lanka analyses the changing labour processes and increasing feminisation and precarisation of cinnamon workers in the cinnamon value chain, placing it within the wider context of colonialism, neo-liberalism and multilateral trade agreements. Ayman Adham and Anita Hammer's chapter on migrant construction labour in Saudi Arabia examine labour migration's use as a means of expropriating temporary labourers and undocumented labourers and their super-exploitation. Through creating a flexible labour supply, multinational corporations and finance capital accrue super-profits from migrant workers employed in insecure and precarious situations.

The significance of informal labour to capital accumulation is also demonstrated by Danisha Kazi through her examinations of the critical role of informal wage labour and capital labour struggles in the automotive and auto component sector in India. Firms actively reshape the composition of the

workforce to restrict the bargaining power of labour and reduce the value of labour power. This includes a growing preference for non-unionised rural and semi-rural workers and female workers. The asymmetric balance of power between capital and labour and the state's role in institutionalising a flexible labour regime are critical forces shaping capital accumulation, with implications for the structure and differentiation of the workforce. In a similar vein, Anna Salmivaara adopts a GVC perspective to examine how processes of *in-fact informalization* are produced through a systematic use of short-term contracts and subcontracting in Cambodia's garment industry in a hidden yet effective manner.

## 3 Situated, Diverse and Intersecting Relations of Informal and Precarious Labour

Informal and precarious work is based on diverse, complex and intersecting forms of production and social relations. There are multiple dimensions of precarity beyond the formal employment status and associated social rights: the autonomy over the labour process, ownership of the means of production, control over the valorisation process. Informal work includes a broad range of employment relations, exists in both formal and informal enterprises, and could be for survival or accumulation or a combination of both. Each of these production relations denotes different ways of organising production, different labour processes as well as forms of reproduction alongside different ways in which they may interlock (or not) with the formal economy (Hammer and Fishwick 2020; Barnes, 2012). Different forms of production relations are characterised by distinct modalities of extracting value and are not isolated; on the contrary, they often substitute other forms, often key to re-arranging the spatial organisation of production networks (Barnes, 2018). For example, in the auto sector, it is not uncommon for informal wage labour, apprentices and contract workers to work alongside full-time production workers to do the same job on the same shop floor, and for supply chains to run deep into the informal sector (Hammer 2010).

The multiple production relations are intersected by relations of caste, community, gender, ethnicity and religion. The fragmentation of core workforces emphasises differences in groups of workers along different social relations that constitute the basis for allocating workers to jobs and different disciplinary regimes. For example, a majority of poor, women, and marginalised caste and communities labour in the lower rungs of the informal economy i.e., as casual labour, homeworkers and as unpaid family labour in own-account

firms (Harriss-White and Gooptu, 2001; De Neve, 2005). Therefore, it is crucial to distinguish between independent self-employment and dependent self-employment, the latter based on the authority relations of an employment relationship. Class dynamics underpinning informal and precarious work become pertinent in the context of different production relations across the Global South. The contributions in this issue analyse the wide range of production relations that characterise informal and precarious work and how these production relations are embedded in wider social relations.

This intersection of production and social relations is forcefully exemplified in Tartanoglu Bennett's study of home-based women garment workers in Turkey which focuses on their everyday experiences. Tartanoglu Bennett explores home-based garment work as a form of informal work where gender dynamics and patriarchal relations have an effect on the organizational characteristics and the nature of the work. The workers' internalization of their gender roles and patriarchal authority relations lead to consent among women to their working conditions. They do not define themselves as workers but housewives. Crucial to global garment production network, this highly precarious labour is the weakest link of this network with low wages, long and irregular working hours and no job security. It remains invisible and the class dynamics underpinning their work is underexplored. Their invisible position in the network is intensified as a result of their few connections with the other actors such as brands, suppliers, trade unions or worker organizations and their weak associational power.

The heterogeneity and intersections underpinning informal employment are brought out in sharp detail in Ilona Steiler's essay on informal workers in Tanzania. Steiler examines informal work in street trade and domestic work through the prism of intersectionality. Countering the mainstream argument that informality is a matter of legal coverage, Steiler argues regulation reflects and interacts with specific constellations of the categories of ethnicity/race, gender, age and marital status, education and skill level as well as of class. She convincingly argues informality of work results from the complex interplay of these categories with law, their historical development in Tanzania, the spatial organization of work and workers' visibility, and struggles over social status and power relations based on class. Steiler suggests this complexity and heterogeneity poses many challenges to the decent work agenda and recognizing these dynamics offers a better understanding to address decent work deficits.

The multiple dimensions of precarity that underpin informal work are keenly highlighted by Tulika Tripathi and Nripendra Mishra in their assessment of non-agricultural home-based own account enterprises in India. Countering the 'entrepreneurialism' myth that shift to self-employment signifies, they detail the 'hidden dependency' of self-employment, its gendered and caste and

community-based nature, which is created through an intricate mechanism of subcontracting in global production networks. The self-employed are locked into unequal exchange relations with large firms or merchants and depend on intermediaries for equipment and production inputs. The dependency is compounded through payment by piece rates which underlie work intensification and a reliance on self-exploitation and unpaid family labour. Despite the fact that there are multiple layers between the 'self-employed' and capital, extreme exploitation is involved, with capital paying these workers very low (below the value needed to reproduce their labour power) and taking advantage of their precarious position, especially as poor women. Forms of expropriation are also involved, especially when unpaid labour is included in the picture. Though not labelled as wage labour, the self-employed are precarious, informal workers prone to very similar exploitative processes on a factory floor, or worse.

Questioning the 'Northern' focus of the precarity literature Bridget Kenny persuasively argues for a situated and historical analysis of the processes by which 'flexible' working time patterns came into being in the global retail labour process. In a historical piece based on extensive archival research, Kenny traces debates and struggles over store trading times (which determined working time) from the 1960s to the 1980s in Johannesburg, and explores the connection of working time debates to the precarisation of retail labour in South Africa. She details how the struggles around working and trading hours took up gendered and racialized discourses as the labour market shifted over these decades and into the present.

In a similar vein, Salmivaara highlights how women garments workers' insecure lives and gendered needs encourage bottom-up processes of informalisation and discourage unionization; thereby, deepening informalization in Cambodia's garment industry. These processes, along with top-down informalisation, assist the government's strategy of indirect rule aimed at ensuring political power while preventing women workers from collectively claiming their legal entitlements. Dharmapala highlights the gendered labour processes in Sri Lanka's cinnamon industry.

What do these class dynamics underpinning informal and precarious work and the fragmentation of labour mean for workers' resistance and political action? This is examined in the following sections.

## 4 The Role of the State in Instituting and/or Enabling Informal and Precarious Labour

Moving from class dynamics to class identities and struggle requires an understanding of the role of the state in securing the economic and social

power of capital through its political and ideological rule, universally but not exclusively. The state plays a key role in the constitution of capitalist social relations: by shaping the conditions of work through regulation and repression, in mediating capital and labour relations, in shaping conditions for the reproduction of labour power through welfare mechanisms (Pearson 2014; Chang 2013; Jessop 1990). As Poulantzas (1978: 115) argues state institutions and apparatuses 'do not possess a power of their own distinct from class power'. This understanding is contrary to the ILO approach which is closer to social democratic Keynesian ideology and Polanyi's ideas, i.e., assuming that labour *per se* is not exploited and the relentless accumulation drive of capital can be tamed by the state (for a critique see Lerche 2012: 18). As contributions to this book show, the state intervention (or lack of it) through policies, regulation and social security provisioning among others impact on how informality is created and instituted, how informalisation and precarisation proceeds, and the contradictory outcomes for labour.

Conceptualising informality in a historical context, Amal Shahid draws attention to labour informality as a direct product of state intervention under the famine-relief employment system in 19th century India. The colonial state co-constructed informality and precarity during famines through its famine policy and use of vulnerable famine-stricken labour. The famine policy, with its underlying premise of being a benevolent relief scheme, allowed for regulation of labour; however, resulting in labour informality. The state regulated 'famine labour' through famine codes, which codified employment conditions and employer-labour relations. Therefore, famine relief works were heavily regulated by the state but characterised by informality, that is, seasonal work, labour intensive work with low wage payments, and inconsistency in work to allow cost reduction for relief.

In the contemporary Indian context, Kazi scrutinizes how the state government actively reshapes capital and labour relations to serve its own class interests. Through her examination of informalisation of labour in the automotive sector, Kazi reveals how the state has institutionalised labour flexibility by pursuing industrial policies aimed at competitively seeking out large-scale investments which demand labour flexibility, and actively promotes low wage and non-unionised labour. Displaying a sort of race to the bottom in regulations, the state intervenes in industrial disputes to limit strikes and expands Export Processing Zones (EPZs) where labour laws do not apply, and tacitly supports capital's strategies to undermine union rights.

The link between precarity of home-based garment workers and the role of state in enabling informal and precarious form of work is a key focus of Tartanoglu Bennett's study. The state's lack of intervention through policies and

regulation to recognize home-based workers' employment status or to raise the labour standards, complex gender dynamics and patriarchal relations have a negative effect on the workers' visibility and precariousness in their employment. This has lasting implication for agency and collective organisation.

The important role of the state in enabling the processes of informalization and weakening the power of unions in Cambodia is detailed by Salmivaara. The essay highlights the difference between the official commitments of the state to the labour rights, and the lived reality of the women garment workers. The ongoing *in fact-informalization* in the garment sector suits the interests of the Cambodian government by weakening freedom of association without explicit abandoning of commitments to international labour and human rights. Rather than interpreting Cambodian government's policy as mere pro-employer strategy, Salmivaara argues for seeing it as a form of indirect rule aimed at securing political control and regime survival without losing the legitimacy of adherence to national and international law.

The significant role of the state in Saudi capitalism, with ramifications at the workplace, is key to Adham and Hammer's study of mobility-effort bargaining in the construction sector in Saudi Arabia. Arab Gulf countries constitute an interesting context given their extensive and long-standing reliance on migrant labour as well as the significant role of the state in controlling migrant labour's mobility. Of these, Saudi Arabia is the largest employer of migrant labour, where more than 80% of the total workforce in the Saudi private sector consists of 'temporary', highly controlled and low-cost migrant workers from South and South-East Asia. The state controls the mobility of migrants in and out of the country as well as between employers through the sponsorship system or kafala system. It gives employers control over migrant workers who cannot change their employers, while the employer can lay off migrants easily. Thus, the state's role is crucial in organising and controlling the mobility as well as bargaining power of a vast international migrant workforce. The highly controlled and state-instituted migrant labour regime has a profound effect on the outcomes for migrant labour who have very limited scope for mobility-effort bargaining in the workplace. Yet, as the chapter shows the control exercised by the state, capital and other sponsors over migrants' mobility is not absolute, even in a highly controlled context.

That the state intervention can result in contradictory outcomes is the focus of Lorena Poblete's case study on decent work. Poblete discusses the process of transforming predominantly informal domestic work into "decent work" in Argentina. Through an assessment of attempts to expand the scope of legislation and its enforcement to formalise domestic workers, Poblete analyses how the notion of informality and the conceptualization of this particular labour

relationship, driven by the ILO's decent work agenda, condition institutional responses. The state's efforts to fit domestic work into the standard employment relationship, seeing it as key to access labour and social protections, results in a focus on full-time domestic workers while a majority of precarious domestic workers, working a few hours per week for several employers, are only marginally included within the scope of the law. The selective inclusion or exclusion of domestic workers from regulation has implications for attaining decent work.

Despite the strong role of the state in instituting or enabling informal and precarious work, the rule of capital and state is not always coherent or effective in containing the social contradictions of capitalism - in order both to pursue profit and accumulation and to secure legitimacy. Work remains a contested terrain of the state's repressive measures, pressures to facilitate accumulation, and agency of labour (Edwards 1979; Poulantzas 1978). Conceptualising the state as a terrain of class struggle allows for a number of possibilities, for example of possible ruptures and openings through which labour can confront repressive and ideological apparatuses of the state and capital's strategies. This is discussed in the next section.

## 5 From Class Consciousness to Political Action

The contradictory dynamics of capitalist social relations also include unintended consequences. The multiple ways in which capital and state fragment labour, the heterogeneity and complexity of labour, and the great variation in circumstances and experiences of labour, mean the translation from class relations to class consciousness, resistance and political action is always contingent and unpredictable (Bernstein, 2010). These processes are not experienced evidently and exclusively as class exploitation and oppression but in terms of specific identities like 'urban/rural workers, industrial workers/agricultural labourers, urban craftsmen and women peasants, men/women, mental/manual labour, young/old, black/white, regional, national and ethnic differences, and so on' (Gibbon and Neocosmos, 1985: 190). Moreover, capital mobilises the social divisions in how they recruit labour, organize it in production, and in how they deal with resistance from classes of labour.

The diverse power dynamics and struggles that underpin the heterogeneity informal and precarious work have consequences for the economic survival strategies as well as different workers' resources and strategies of resistance (Sanyal and Bhattacharyya 2009). It can open new terrains of struggles, new forms of expression and new demands. Often spatially and temporally

specific, they can also provide opportunities for global solidarity and political action (Ness, 2016, 2021; Atzeni and Ness eds. 2018). For example, Webster et al. (2021) detail how workers organizations are challenging precarious work through new hybrid forms of organizing in the Global South through examples where workers innovate and experiment with new forms of worker organization in three African cities. These include a traditional union reaching out to precarious workers, hybrid forms of worker organizations, and workers in the gig economy starting a process of self-organization. They argue that if current trade union organizations are to meet the needs of informal workers and the new workers of the digital economy they will need to transform, rediscover their power and the capabilities necessary to realize this power.

Here, Wright's (2000) framework on the sources of workers' power is helpful to understand the variations in struggles and outcomes of informal and precarious labour. According to Wright, workers derive their collective power from their 'structural power', i.e., from their specific 'location … within the economic system' (Wright, 2000: 962). Structural power includes 'marketplace bargaining power', i.e. the power that workers command due to conditions in the labour market, and 'work-place bargaining power', i.e., the degree of power workers can exert in a specific industrial location for their key position in the production process. However, workers' structural power does not necessarily result in workers' collective action. The latter rests on their 'associational power'. This derives from the political organization of workers along trade union lines, or other institutional forms, and on the limitations imposed on these forms by the system of legislation and by the historical context of employment relations. Thus, there is no straightforward correlation 'between workers' bargaining power and the actual use by workers of that power to struggle for better working and living conditions' (Silver, 2003: 15). This suggests a number of possibilities where some forms of work and workers have more potential to disrupt and resist than others.

A recent assessment of labour conflicts in the Global South (see special issue of Globalisations, 2021) proposes a new theoretical framework for the analysis of labour conflict based around social movement unionism and the research agenda of labour geography that include other places and spaces of labour mobilization than the workplace and the trade union. Such a conception allows to analyse labour conflict at the level of the social formation, and not just restricted to the economic sphere (Nowak, 2021). Accordingly, they argue for the need to go beyond regarding trade unions as the privileged agents of workers' interests, and, to go beyond the workplace and include organizations different from the traditional trade union form, based on actually existing social processes of struggle (Atzeni, 2021). This scholarship

conceptualises 'relations between class, gender and race to account for the gender-specific manifestations of class as well as how racialization continues to underpin today's global political economy and is fragmenting the working class and, thereby, undermines its potential for resistance' (Bieler and Nowak, 2021:1323).

Sympathetic to the above effort and the reality that highly exploited workers do challenge capitalist regimes of oppression, this book reiterates the role of the working class as the primary agency for social transformation. It remains a dialectical force even when precarisation was growing and expanding in the South and worldwide. This book underlines the continuing significance, efficacy and authenticity of working-class organisations and the political party as the primary driver of revolutionary transformation as outlined by Marx.

Through a study of migrant labour in the garment sector, Senorans provides a nuanced analysis of the development of precarisation as well as the possibilities and forms of collective labour politics amongst migrant workers. The study captures how regional processes of migration, neoliberal policies and capital strategies shape the lives of migrant garment workers in Buenos Aires, placing them in the most precarious and vulnerable segment of the industry. Going beyond the divide between production and reproduction, it reveals how kinship, intimacy and community relationships are integral to how reproductive labour is appropriated by capital, and fundamental to commodity production in the industry. Relationships at the intersections of kinship, intimacy and the community are negotiated to develop an innovative process of union organisation that struggled for the recognition of workers' rights and also addressed production dynamics in the newly created cooperatives.

The challenges informal and precarious work poses to class consciousness and political organisation under globalising capitalism is captured in Steiler's essay. The street vendors and domestic workers in Tanzania belong to a broad class of workers doing precarious work in the informal economy but differ in terms of their employment relations as well as their working, social and cultural capital. These differences result from complex intersections of multiple social categories. Labour organization has been minimal, not least due to their being labelled as 'informal'. Yet, Steiler underscores that despite the social differentiation of workers, the outcome of their struggles is not predetermined but open to their strategies and choices for a better life. The workers are aware and make concrete suggestions for minor and major improvements to their working lives, suggesting possibilities for involvement of workers, strengthening association, representation and collective bargaining, and workers' participation in political decision-making.

The outlook appears less sanguine for Tripathi and Mishra's 'self-employed in India. Capital's incorporation of households, women and disadvantaged groups into global production networks under the guise of self-employment has deepened exploitation, lengthened the working day, reduced earnings and increased precarity for these workers. It has made the employer-employee relationship ambiguous, decentred production from the workplace and weakened the position of self-employed workers. Pauperisation is rampant. Capital is no longer in an ostensibly direct antagonistic relationship with labour; there are multiple layers in between. Yet, the fact that self-employed precarious labour is not labelled as wage labour does not mean that it is free from the antagonistic relationship with capital and that the class division is blurred or disappears. Whether or not they are 'formally' employed, extreme exploitation is involved; thereby, the possibility of resistance. As the authors suggest, self-organisation or state interventions may alter power dynamics in favour of the self-employed.

The complexity of workers' experiences and choices in determining their strategies are underscored by Salmivaara. In Cambodia, many workers prefer conditions that *in-fact informalize* their work. Rather than a mere submission to short-term needs, or false consciousness, workers make realistic and pragmatic choices that are shaped by gendered responsibilities and long-term considerations determined by a context of historical insecurity, in which relations with authorities and foreign factory owners do not offer reasons for trust. The combination of insecure work and the gendered insecurity of life prevents workers from joining independent unions. The consequences are significant and extend beyond the workplace. At the factory level, the weakness of independent unions implies the inability to represent workers' interests in cases of labour rights violations. At societal level, it leads to lack of political representation. *In-fact informalization* effectively undoes freedom of association and prevents mobilization.

In a similar vein to Salmivaara, Tartanoglu Bennett highlights how home-based garment workers' internalization of their gender roles and patriarchal authority relations leads to these workers not defining themselves as workers but housewives. Their interactions with the mediators in the global garment chain are part of the patriarchal relations and the women's employment is based on trust as they see the mediators as part of their family or friends. However, there is a tight but hidden control mechanism based on the hierarchy and authority between the mediators and the women. This misplaced class status and their location in the sphere of production, along with inadequate state policies and weak union presence, makes collective action or resistance to the precariousness in their employment difficult. Developing agency is restricted by norms, values and gender relations and their weak associational power.

The historical role and trajectory of trade unions around store trading hours as a measure of working hours in the retail sector is charted by Kenny. She details how the struggles around working and trading hours took up gendered and racialized discourses as the labour market shifted. The unions negotiated the extension of trading time through bargaining off the working time of women workers, first white then black women, and then (mostly black) casual workers. This bargain defines retail workers' particular conditions in the present and affected the union's bargaining strategies into the post-apartheid period, as it worked to defend and protect its core membership of fulltime employees against casual workforce in the 1990s; thereby, deepening divisions of labour. The association of casual labour as extra-ordinary and thus more available to work unsocial shifts conditioned the union's inability to protect these workers, and by consequence affected its membership levels and longer-term collective power in retail workplaces.

A new geography of labour discontent emerges in Kazi's study of the Karnataka's automotive sector in India, which contrasts with the common perception of Karnataka as an investor friendly state with a docile labour force. The state's elitist model of growth has historically prevented class and social based movements from emerging to challenge the power of established and new corporate elites. Yet, the growing presence of large-scale firms, the state's institutionalising of a flexible labour regime to attract private capital and the increasing informalisation of the workforce has led to more frequent and intense workers' struggles. This reveals the locus of labour's structural power against capital is beginning to shift to include the issue of informal wage labour within the formal sector. While challenges remain, this has forged a degree of solidarity across informal and formal workers in the automotive sector.

The novel use of technology by labour for new opportunities for organising is highlighted in Elbert and Negri's study of delivery platform workers in Argentina. Constrained by the pandemic, organised workers used digital platforms to mobilise and channel their protests in the context of increasing work precarity and the difficulty of using their traditional repertoire of protests. The platform sector experienced a labour upsurge, expressed in the emergence of new organisations and the geographical expansion of existing groups, as well as an increasing number of organised workers and actions of protest.

## 6 Conclusions and Going Forward

This book aims to provide insights, which are by no means comprehensive, into class dynamics that underlay informal and precarious work and the translation

from class relations to class consciousness and political action by informal and precarious labour which is contingent and unpredictable. It emphasises the need to pay attention to contexts, to specific production and social relations, and to the different structural and political constraints and possibilities that different types of informal and precarious labour faces. Informal and precarious work, like all work, is a contested terrain characterised by extreme exploitation but also provides potential for resistance and transformation by precarious labour. This needs to be explored and theorised further.

The persistence of informal and precarious labour makes it central to development interventions, for example the United Nations' (UN) and ILO's focus on 'Decent Work', most recently epitomised in the UN's Sustainable Development Goal 8 (SDG 8) on 'Decent Work and Economic Growth'. Decent work is crucial to the vast majority of workers who labour under insecure and precarious conditions with limited voice or social protection. While the goal is ambitious, universal and collective, a recent ILO report (2019) suggests progress on SDG 8 is slowing down and most countries have a long way to go towards achieving inclusive and decent work for all. It contends that failure to make headway on SDG 8 would also impede progress towards other SDGs, such as eradicating poverty, reducing inequalities, promoting peace, and achieving gender equality. We feel it is a critical moment to focus on informal and precarious labour to help analyse the failure towards achieving decent work. The purpose is not to unpick the decent work agenda, rather our argument is that the agenda and similar interventions fail because of insufficient attention paid to the heterogeneity and politics of informal and precarious labour. Current attempts to regulate 'decent work' derive from abstract presumptions of standard labour relations and involve a generalizable regulatory fix to protect workers; missing the longer embedded histories of how precarious and informal labour relations are created and maintained. This volume is a step in that direction.

## 7 Organisation of the Book

This collection is a joint effort by a collective of academics who work on informal and precarious labour in different contexts across the Global South. The contributors range from established academics to early career researchers and PhD scholars based in the North and the South. It provides extensive international coverage of regions across the Global South, ranging from South Asia (India) and South-East Asia (Cambodia), South-West Asia (Saudi Arabia and Turkey), Africa (South Africa and Tanzania) to Latin America (Argentina).

## 8 South-West Asia

Chapter 1: *Between Precarity, Invisibility and Gendered Insecurity: The Prospects of Home-based Garment Work in Turkey, by Safak Tartanoglu Bennett* explores home-based garment work as a form of informal work in a distinctive setting of Turkey where gender dynamics and patriarchal relations influence the organizational characteristics and the nature of the work. Conceptualising precariousness as a heterogeneous concept, evolving in the specific social and political contexts, the chapter analyses the precarity of the home-based garment work in relation to the role of state in enabling this form of work. It makes a key contribution through an analysis of the significance of home-based work in global garment production and the class dynamics underpinning this form of work, which usually remain invisible.

Chapter 2: *Migrant Labour, State and Mobility-Effort Bargaining in Saudi Capitalism, by Ayman Adham and Anita Hammer* examines the under researched precarious migrant labour in Saudi Arabia. The analysis combines Marxian political economy with the 'double indeterminacy of labour power', a key conceptual development in labour process theory, to examine mobility power in Saudi capitalism. Control over mobility of migrant workers by the state (along with employers) is crucial to structuring the workplace, the labour process and the wider political economy of Saudi Arabia. Arguing that mobility-effort bargaining is at the core of understanding labour-capital relations in Saudi Arabia, this chapter discusses different combinations of sponsor, employer, entrepreneur-subcontractor control within what the authors term a 'sponsored labour regime' of mobility-effort bargaining - suggesting variable outcomes for labour even in a highly controlled context.

## 9 Africa

Chapter 3: *Store hours, retail working time and precarious labour in South Africa, 1960s–1980s, by Bridget Kenny* traces debates and struggles over store trading times (which determined working time) from the 1960s to the 1980s in Johannesburg, South Africa, to explore the connection of working time debates to the precarisation of retail labour in South Africa. Debates about trading time and working time, and how unions engaged therein, were fundamentally linked with changes to the labour market of service workers over this period. Based on extensive archival research, which links regulatory changes, union politics, national debate and labour market changes to how shift systems in retailing changed, this chapter explores how the emergence of precarious

labour in sectors like retail can be explained as conjunctural moments written from the global South.

Chapter 4: *Informal work and intersectionality: understanding worker's exclusion in two Tanzanian sectors, by Ilona Steiler* questions the assumption about informality of work and insufficient protection of workers as a matter of weak or ineffective regulatory frameworks, which falls short of capturing the heterogeneity found in informal employment and the complex reasons by which workers are excluded from regulatory frameworks. Drawing upon rich ethnographic research in the dissimilar sectors of street vending and domestic work in Tanzania, it argues that a focus on intersecting social categories, such as race/ethnicity, gender, age, marital status and education and skill levels, offers a more nuanced understanding of how workers and work relations become positioned on the continuum from informal to formal work. In both sectors, labour regulation reflects and interacts with multiple and overlapping social categories, which are further intertwined with the historical development and spatial organization of work, with implications for class relations.

## 10 South Asia

Chapter 5: *Conceptualising Informality in late 19th century Colonial North India: The case of Famine Labour, by Amal Shahid* deliberates on informality in a historical context. It examines famine-stricken population in late 19th century Indian subcontinent, which was employed on public works by the colonial state to provide relief. Through a discussion of working conditions, wages, and recruitment of famine construction workers, this chapter argues that famine labour was characterised by informality under a state regulated employment system. It makes an important contribution to scholarship that challenges the distinction between the terms formal and informal, which is recent and defined by degrees of state regulation and precarity, and argues for interpenetrations between formal and informal economies in the global south.

Chapter 6: *Precarious Self Employment in India: A Case of Non-agriculture Own Account Workers, by Tulika Tripathi and Nripendra Mishra* examines the rise in self-employment in India (the largest form of employment) as part of the broader processes of declining formal employment, operation of global production networks, out-sourcing of work, weakening of labour movement and neo-liberal economic reforms. The chapter questions the promotion of self-employment as a better type of employment. Through the case of Own Account Workers (OAWs), who constitute more than two-third of self-employed

workers, the chapter demonstrates that these producers are laborers who have been pushed out of the factory system and forced into self-employment, working without hired labour and often earning less than casual wage workers. This has created a labour class that is neither proletariat nor bourgeois, but a petty commodity producer integrated in global production networks through mediators called 'contractors.' There is a clear caste and gender dimension in their composition. The study has important implications for labour movement and class relations.

Chapter 7: *The Labour Process and Informal Wage Labour in Karnataka's Automotive Sector, by Danisha Kazi* examines the expansion of informal wage labour in India's automotive sector through labour process analysis, linking the firm level with the automotive supply chain as well as broader socio-economic forces. This chapter demonstrates how differentiation of the workforce emerges from the way in which capital accumulation proceeds and the critical role of on-going capital-labour struggles. Firms actively reshape the composition of the workforce to restrict the bargaining power of labour through a considerable shift towards informal wage labour within the organised workforce and a growing preference for non-unionised rural and semi-rural workers and female workers, a dynamic observed throughout the automotive supply chain. The asymmetric balance of power between capital and labour and the state's role in institutionalising a flexible labour regime are critical forces shaping capital accumulation, with implications for the structure of the workforce and new locations of labour discontent.

Chapter 8: *Reformation of Cinnamon Peelers' Identity in Sri Lanka, by Shanka P. Dharmapala* presents an ethnographic analysis of changing labour processes and their impact on cinnamon workers in the context of modernization of traditional practices to modern -shop- floor work processes and operations. The chapter draws on empirical findings from a traditional cinnamon-growing area on the south coast, as well as in a modern shop-floor setting of a cinnamon-producing factory in a new cinnamon-growing area in the central part of Sri Lanka. The transition in the cinnamon factories are leading to an emergent feminization of the shop floor subordinated under a male-centered management. The bargaining power of cinnamon workers has weakened and has decreased the worker's' ability and productivity in processing cinnamon, in terms of both quality and quantity. Combining insights from labour process theory (LPT) and the theory of subjectivity and reflexivity in the work milieu, this chapter explores the impact of these changes at the workplace on the identity formation of workers through their social relations, practices, and reflexivity during day-to-day work life.

## 11 South-East Asia

Chapter 9: *Hidden processes of informalization. Losing legal rights in the Cambodian garment industry, by Anna Salmivaara* scrutinises labour rights in the global garment industry by analysing processes of in-fact informalization that are used to exclude workers from legal protection in a hidden manner. Through the case of Cambodia, this chapter examines the role of the state and of workers in contributing to top-down and bottom-up processes of in-fact informalization. In Cambodia, subcontracting and temporary contracts prevent workers from collectively claiming their legal entitlements. In-fact informalization is promoted by the government as a strategy of indirect rule aimed at weakening independent mobilization and ensuring political power. It is strengthened by the workers' gendered needs and strategies of intergenerational wellbeing. Together, informal work and insecure lives discourage collective organisation, which further increases top-down and bottom-up informalization.

## 12 Latin America

Chapter 10: *Digital resistance to algorithmic exploitation: Twitter activism of Argentine delivery platform workers during the Covid 19 pandemic, by Rodolfo Elbert and Sofía Negri* focuses on the organising strategies of delivery platform workers in Argentina during the first year of the pandemic. The platform sector experienced a labour upsurge in the country, expressed in the emergence of new organisations and the geographical expansion of existing groups, as well as an increasing number of organised workers and actions of protest. This chapter analyses the specific way in which organised workers used digital platforms to mobilise in a period when strict lockdowns made it difficult to develop traditional actions of protest such as public demonstrations or face to face meetings. Based on the study of digital activism during the strictest lockdown in the country, the chapter argues that Argentine workers creatively found in digital platforms a way to channel their protests in the context of increasing work precarity and the difficulty of using their traditional repertoire of protests.

Chapter 11: *Unevenly protected. Institutional protections for domestic workers in Argentina, by Lorena Poblete* examines domestic work and the decent work agenda in Argentina. Informality characterizes domestic work and is the target for transforming domestic work into "decent work," following the International Labour Organization's agenda. Looking at three different state institutions participating in this transformation—the Argentine Congress,

National Tax Agency and Domestic Work Tribunal, this chapter seeks to understand how the notion of informality and the conceptualization of this labour relationship condition institutional responses. In order to expand domestic workers' rights, the three institutions focus on one working-time arrangement: full-time work. As a result, domestic workers working a few hours per week for several employers cannot not access the same protections and are only marginally included within the scope of the law. For them, decent work seems to be unattainable.

Chapter 12: *Precarious Labour, Migration and Collective Politics in the Garment Industry in Buenos Aires, Argentina, by Dolores Señorans* presents a rich ethnographic analysis of the experiences of garment sector workers in Argentina. It details how garment sweatshops and their workers are depicted in public and political debates on the one hand, and how garment workers narrate their lives and their experiences in the industry on the other. Kinship, intimacy and community relationships emerge as integral to not only how reproductive labour is appropriated by capital, but also fundamental to commodity production in the industry. This chapter explores how these ambivalent relationships are negotiated to develop an innovative process of union organisation that struggles for the recognition of workers' rights and also addresses production dynamics in the newly created cooperatives (Unión de Trabajadores de la Economía Popular, Popular Economy Workers Union, UTEP), making a key contribution to debates on the collective politics of precarious migrant workers.

## Bibliography

Agarwala, R. 2013. Informal Labor, Formal Politics, and Dignified Discontent in India. Cambridge: Cambridge University Press.

Atzeni, M. 2021. Workers' organizations and the fetishism of the trade union form: toward new pathways for research on the labour movement?, Globalizations, 18:8, 1349–1362.

Atzeni, M. and Ness, I. (eds.) 2018. Global Perspectives on Workers' and Labour Organizations. Springer Singapore.

Banaji, J. 2011. Theory and History: Essays on Modes of Production and Exploitation, Leiden: Brill

Barnes, T., 2018. Making Cars in the New India. Industry, Precarity and Informality. Cambridge University Press.

Barnes, T. 2012. Marxism and informal labour, *Journal of Australian Political Economy*, 70: 144–66.

Beck, U. 2014. The brave new world of work. Cambridge, Malden, Mass.: Polity Press.

Bernstein, H. 2010. Class Dynamics of Agrarian Change, Halifax and Winnipeg: Fernwood.

Bernstein, H. 2007. 'Capital and labour from centre to margins', In Keynote address at the conference 'Living on the Margins', Stellenbosch University, 26–28 March, Cape Town, South Africa.

Bieler, A & Nowak, J 2021. Labour conflicts in the Global South: an introduction, Globalizations, 18:8, 1323–1334.

Breman, J, and van der Linden, M. 2014. Informalizing the Economy: The Return of the Social Question at a Global Level. *Development and Change* 45: 920–940.

Breman, J. 2013. A bogus concept? *New Left Review*. 84 November–December.

Breman, J. 2010. Outcast labour in Asia - circulation and informalisation of the workforce at the bottom of the economy, New Delhi: Oxford University Press.

Chang, D. 2013. Labour and the Developmental State: A critique of the Developmental State theory of labour, in Fine, B. Saraswati, J. and Tavasci, D. (eds.) Beyond the Developmental State: Industrial Policy in the Twenty-First Century. London: Pluto.

Chen, M. A. 2007. Rethinking the Informal Economy: Linkages with the Formal Economy and the Formal Regulatory Environment. Working Paper No. 46. New York: United Nations.

Cope, Z. 2019. The Wealth of (Some) Nations: Imperialism and the Mechanics of Value Transfer. London: Pluto Press

Cross, H. 2021. Migration Beyond Capitalism. Cambridge: Polity Press.

De Neve, G. 2005. The Everyday Politics of Labour: Working lives in India's Informal Economy. New Delhi: Social Science Press.

Dicken, P. 2015. Global Shift: Mapping the Changing Contours of the World Economy (Seventh Edition) New York: Guilford Press

Edwards, R. 1979. Contested terrain: the transformation of the workplace in the Twentieth century. London: Heinemann Educational.

Ghose, A.K. & Kumar, A. 2021. India's Deepening Employment Crisis in the Time of Rapid Economic Growth, The Indian Journal of Labour Economics 64, 247–279.

Gibbon, P. and Neocosmos, M. 1985. Some Problems in the Political Economy of 'African Socialism. In H. Bernstein and B.K. Campbell, eds, *Contradictions of Accumulation in Africa. Studies in Economy and State*. Beverly Hills CA: Sage.

Hammer, A. and Fishwick, A. 2020. Introduction: Labour Process Analysis and Work in the Global South – A Dialogue, In Hammer and Fishwick (eds.) The Political Economy of Work in the Global South: Reflections on Labour Process Theory. London: Red Globe Press. Pages 1–19.

Hammer, A. 2019. Comparative Capitalism and Emerging Economies: Formal-Informal Economy Interlockages and implications for institutional analysis. *Review of International Political Economy* 26(2): 337–60.

Hammer, A. 2010. Trade Unions in a Constrained Environment: Workers' Voices from a New Industrial Zone in India, *Industrial Relations Journal*, 41(2): 168–184.

Hammer, N., & Plugor, R. 2019. Disconnecting Labour? The Labour Process in the UK Fast Fashion Value Chain. *Work, Employment and Society*, 33(6): 913–928.

Hardt, M. & Negri, A. 2000. *Empire*. Cambridge, Mass: Harvard University Press.

Hardt, M. & Negri, A. 2004. *Multitude: War and Democracy in the Age of Empire*. New York: Penguin Books.

Harriss-White, B. 2010. Globalisation, the financial crisis and petty production in India's socially regulated informal economy. *Global Labour Journal*, 1 (1): 152–177.

Harriss-White, B. and Gooptu, N. 2001. Mapping India's World of Unorganized Labour. In L. Panitch and C. Leys (ed.), *The Socialist Register 2001*. London: Merlin Press.

International Labour Organisation, (ILO) 2019. *Time to Act for SDG 8: Integrating Decent Work, Sustained Growth and Environmental Integrity.* Geneva: ILO.

International Labour Organization 2018. *Women and Men in the Informal Economy: A Statistical Picture.* Third edition. Geneva: ILO. http://www.ilo.org/wcmsp5/groups/public/—dgreports/dcomm/documents/publication/wcms_626831.pdf [accessed May 2020].

Jessop, B. 1990. State Theory: Putting the Capitalist State in Its Place. Penn State Press.

Kalleberg, A. L. 2009. Precarious work, insecure workers: Employment relations in transition. *American Sociological Review*, 74(1), 1–22.

Kalleberg, A. L., & Hewison, K. 2013. Precarious Work and the Challenge for Asia. *American Behavioral Scientist*, *57*(3), 271–288.

Kalleberg, A.L. and Vallas, S.P. 2017. Precarious Work, Emerald.

King, S. 2021. Imperialism and the development myth: How rich countries dominate in the twenty-first century. Manchester, UK: Manchester University Press

Lerche, J. 2012. Labour Regulations and Labour Standards in India: Decent Work? *Global Labour Journal*: Vol. 3: Issue 1, p. 16–39.

Lerche, J. 2010. From 'Rural Labour' to 'Classes of Labour': Class Fragmentation, Caste and Class Struggle at the Bottom of the Indian Labour Hierarchy. In: Harriss-White, B. and Heyer, J. (eds.) The Comparative Political Economy of Development. Africa and South Asia. London: Routledge, 66–87. (Routledge studies in development economics, 77)

Mezzadri, A. 2017. The sweatshop regime: labouring bodies, exploitation and garments made in India, Cambridge: Cambridge University Press.

Moore, S, Tailby, S, Antunes, B, Newsome, K. (2018) 'Fits and fancies': the Taylor Review, the construction of preference and labour market segmentation', Industrial Relations Journal, 49(5–6): 403–419.

Munck, R. 2013. The Precariat: A view from the South. *Third World Quarterly*, *34*(5), 747–762.

Ness, I. 2016. Southern Insurgency: The Coming of the Global Working Class, London: Pluto Press.

Ness, I. 2021. Organizing Insurgency: Workers Movements in the Global South, London: Pluto Press.

Ness, I. 2021b. Temporary labour and worker exploitation: Southeast Asian migration to Malaysia. In Leanne Weber & Claudia Tazreiter (Eds.) Handbook of Migration and Global Justice, 26–48.

Neveling, P. 2015. Export processing zones and global class formation (chapter 10) in Carrier, D. and Kalb D. Anthropologies of Class: Power Practice and Inequality. Cambridge, UK: Cambridge University Press.

Nowak, J. 2021. From industrial relations research to Global Labour Studies: moving labour research beyond Eurocentrism, Globalizations, 18:8, 1335–1348.

Pearson, R. 2014. Gender, globalization and the reproduction of labour: Bringing the state back in. In S. M. Rai & G. Waylen (Eds.), *New frontiers in feminist political economy* (p. 24). Routledge.

Poulantzas, N. 1978. State, Power, Socialism. London: Verso.

Sanyal, K. 2007. Rethinking capitalist development: Primitive accumulation, governmentality and post-colonial capitalism. New Delhi: Routledge.

Sanyal K. and Bhattacharyya R. 2009. Beyond the Factory: Globalisation, Informalisation of Production and the New Locations of Labour, *Economic and Political Weekly*, 44/22: 35–44.

Scully, B. 2016. Precarity North and South: A Southern Critique of Guy Standing. *Global Labour Journal* 7(2): 160–173.

Silver B.J. 2003. Forces of Labor: Workers' Movements and Globalization since 1870. Cambridge: Cambridge University Press.

Standing, G. 2011. The Precariat: The New Dangerous Class, London: Bloomsbury.

Suwandi, I. 2019. Value Chains: The New Economic Imperialism. New York: Monthly Review Press.

Taylor, M. 2017. Good work: the Taylor review of modern working practices, Department for Business, Energy & Industrial Strategy, UK.

van der Linden, M. 2021. Why the Global Labor Movement is in Crisis. Journal of Labor and Society 24:3 375–400.

Webster, E. Ludwig, C. Masikane, F. & Spooner, D. 2021. Beyond traditional trade unionism: innovative worker responses in three African cities, Globalizations, 18:8, 1363–1376.

Wright E. O. 2000. Working-class power, capitalist-class interests, and class compromise. American Journal of Sociology 105(4): 957–1002.

Wright, E. O. 2016. Is the Precariat a Class? *Global Labour Journal, 7*(2), 123–135.

# PART 1

## *South-West Asia*

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CHAPTER 1

# Between Precarity, Invisibility and Gendered Insecurity: The Prospects of Home-Based Garment Work in Turkey

*Safak Tartanoglu Bennett*

## 1 Rethinking Precarity in a Critical Context

This chapter explores home-based garment work as a form of informal work in a distinctive setting where gender dynamics and patriarchal relations have an effect on the organizational characteristics and the nature of the work. Turkey is used as a case to exemplify the significance of this specific type of work in global garment production which usually remains invisible and the class dynamics underpinning this work comprise an understudied area. The study analyses the precarity of the home-based garment work in relation to the role of state in enabling this form of work with a critical perspective to understand precariousness as a heterogeneous concept, evolving in the specific social and political contexts by focusing on the everyday experiences of workers.

Precarity is a frequently used concept for the analysis on recent global labour market tendencies that are characterized by uncertainty, insecurity, and informality (Hacısalihoğlu 2015; Tartanoglu 2018). It mainly refers casualization and end of job security which have been experienced by the Northern countries for the recent decades while for Global South precariousness has been a natural condition (Munck 2013).

Precarisation of work and employment is a long-standing debate (Harrison et al 2020) in both the Global North and South, and a need for a global focus rather than Euro/US centrism of mainstream labour studies (Scully 2016) has been emphasized by critical scholars in the area (Munck 2013; Allen 2014). There is a tendency to universalize the effects and causes of precarious work (Scully 2016: 161), though 'informal and precarious work needs to be studied as embedded in concrete, historical, political, and social contexts' (Hammer and Ness 2021: 1).

For some scholars 'precariat' is a fashionable and bogus concept and it signifies a much modern capturing of proletariat, not a new class as Standing (2011) states (Allen 2014; Breman 2013). According to these scholars, far from the 'precariat', we are witnessing a growing proletarianization and a regime

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of insecurity. However, Standing (2014) supports the idea that, precarisation refers not the loss of status but to the opposite of proletarianization, precariat is not even a proletariat and a stable waged labour in our age. When the old proletariat perform that was consistent with its labour power, the new precariat perform below their labour power, their capacities (Standing 2014). While the critics of Standing's 'dangerous class' thesis suggest that precariat is not a distinctive class (-in the making); insecurity -and precarity- is a condition that does not just characterize one group, but it affects the wider working class in different degrees (Allen 2014). Standing (2014) again has an objection to this argument and emphasizes, 'compressing everybody into one gigantic "working class" masks what is going on'. In sum, as the debates about precariat as a class are still ambiguous, and it is reasonably hard to make an explanation of the concept with its analytical adequacy and empirical robustness (Munck 2013).

Smith and Pun (2018: 600) similarly rejected precariat as a class concept which is used by Standing and indicated that employment situation, lack of rights and different dimensions of insecurity in the labour market which mistakenly used as components of class formation rather than 'location in the sphere of production'. They also emphasized labour market insecurities does not create a homogenous 'precariat'; and using 'precariousness' is more useful when describing labour conditions rather than 'precariat' as a class. They contributed to the debate with deconstructing the relationship between class and precarity by analyzing the current class formation in China (Smith and Pun 2018) which is critical to move the analytical thinking to the Global South.

While conceptual problems still exist in writing on precarity (Alberti et al. 2018), the aim of this chapter is to approach the phenomenon from a non-Western perspective rather than contributing to the ongoing conceptual debate on the notion of the 'precariat' (Alberti et al. 2018). Additionally, discussing 'precariousness in employment' (Vosko et al. 2009) is the main focus of the chapter. Even so, approaching the phenomenon from a different perspective rather than following the widespread Western conceptualization, still requires a broad understanding of the drivers, conditions, and consequences of precarity.

Precarity describes the risky and insecure position of the labour not only in the labour market but also in the social sphere and yet it is hard to explain the concept only with the prospects of insecurity. Besides, without accounting for its effects in different country views, it refers solely the loss of relative security (Seymour 2012). However, this is 'a false homogeneity' (Munck 2013) of the widespread insecurities. In addition to the heterogeneity of the insecure and informal labour, Smith and Pun (2018) discusses that it is not as simple as Standing did, to define precariat in the class structure with the absence

of market security or informal labour according to the market situation and employment flexibility. Defining precariat as lacking security of employment or formal/informal status of workers is focusing more on employment status and differences rather than structural class relations or the social relations of productions. This is an 'ideal type secure or insecure employment situation' (Smith and Pun 2018: 602).

Precarity has been used in many ways to define various forms of non-standard[1] or informal employment and economic uncertainty in labour markets and multiple insecurities in the society. One of the main critiques of these definitions is focusing on the one dimensional and Western centric explanation of the concept which tends to overlook the divergences of the experiences of precarity in other parts of the world with different development paths. Precarious form of employment is mostly on the rise due to the erosion of traditional forms of work and wage relationship in the North and has been experienced in the South for a long time (Munck 2013). According to Neilson and Rossitser (2008), it is a political concept linked to the decline of Fordism and welfare state in the North.

The main reason of the Western explanation is the appearance of labour market inequalities in advanced economies after the structural economic crisis and the weakening of social welfare state interventions affects not only the social and economic rights of the vulnerable worker groups, migrants or poorest but also everyone from different social classes, and the West is following the Rest about the growing insecurity of working conditions (Breman 2013). However, social welfare state was an exception from a global perspective and decent work has never been a widespread tendency in developing economies and the world outside advanced markets (Munck 2013). In this perspective, it should be remembered that the varieties of precarity depend on the global heterogeneity of the capitalist economic system and labour relations. The problem here is 'Is it a new social subject and 'a class in the making' for every country?' like Standing (2011) suggests? or 'Are there different views and aspects of precarious work?' in different countries.

In the countries with a different development path, it is not a mechanical process from security to insecurity or flexibility; the state particularly creates precarious employment without social security protections for sustaining competitively in global economic markets. Therefore, although precarious employment has different conditions and consequences in different countries (Lee and Kofman 2012), it is a term to define non-standard employment,

1 Roogan et al. (2017) define non-standard employment is a component of informal employment, but both informal and precarious employment are broader concepts.

refers changes in employment arrangements which cause multiple risks to workers, their economic security and physical safety (Rogan et al. 2017). The workers suffer from lack of opportunities for collective organization representing them, lack of workplace health and safety, and having long, unregulated working hours (Şenses 2015). As mentioned before, what standard and non-standard employment refers to is vague especially for the world outside of the West and advanced economies. As countries in the rest of the world have different histories, social security mechanisms and labour politics, the effect of neoliberal policies on standard employment is not the same as in Western countries (Scully 2016). Therefore, analyzing precarity in standard employment and labour market insecurities in countries with different development paths would have different implications. Besides, although differences in historical development and structure of the workforce cause diverse understandings of precarity and there are existing difficulties of debating the concept within the standard employment relationship, there are now 'shared patterns' of work and employment in industrialized North and developing countries (Rogan et al. 2017: 308). However, Rogan et al. (2017: 310) also emphasizes that although informal employment in global south and precarious employment in industrialized countries share some features, they differ 'in terms of organization and causes, as well as in the ways that risks, and costs (or "precarity") are transferred to workers'.

As Alberti et al. (2018: 449) pointed out, when 'precarity is theorized as inherent to all labour-capital relationships', it is then difficult to underestimate the scope of change in the world of work and employment rather than focusing on only one segment of the population. However, conceptualization of precarity as a ubiquitous and broad notion has an adverse effect on the potential agency of workers by rendering them powerless against the capital. Therefore, focusing on experiences of precarity is more convenient than defining it as a statical concept (Alberti et al. 2018).

Garment industry is a specific example where certain types of informal and precarious labour are widely seen. As Mezzadri (2020) states, the global garment production network has always structured as a global sweatshop and 'cheap labour' considered as a given setting, is a key component of the production process in developing regions which is linked to the reproduction of garment workers' vulnerability. State has a role to intensify precarity in supplier countries for the sake of attracting production in their country and 'protecting their position in the global economy' (Mezzadri 2020: 17). However, it is an oversimplification to understand the position of workers in the global garment industry as being part of an international 'precariat'. Instead, a deeper

understanding and explanation of power relations and class dynamics at the point of production in different supplier countries is vital to analyze complex work and employment relations (Tartanoglu 2018).

In this context, thinking about the applicability of precarity in the North–South (or East–West) perspective, it is neither possible to place a supplier country, Turkey on a northern Fordist type development path, nor on a Southern kind of market economy, but in a category between (Senses 2015); and it is better to think about the concept with its own distinctive position (Tartanoglu 2018).

Global garment industry creates a high demand for women's informal work which takes different forms such as home-based piecework in various regions in supplier countries. While the number of female workers is increasing in Northern countries due to women's collective struggle for formal equality (Vosko et al. 2009) in the official statistics, this number is slightly declining in Southern suppliers. This decline indicates the role of invisible and informal work of female garment workers which is deeply affected by social and patriarchal relations in countries like Turkey. Their work contributes to the global economy but is invisible to local market regulations, and more often they may not even be identified as workers (Burchielli et al. 2014).

In this perspective, this study focuses on the 'precarities experienced by informal workers' (Rogan et al.) and more specifically the experiences of female garment workers to identify their 'experiences of precarity' (Alberti et al. 2018), in a highly fragmented work organization where the social and material relations of production take different forms in the distinctive social setting of Turkish labour market. It also analyses the role of state as one of the key manufacturers of precarisation, which constitutes a contradictory role; when having the ability to regulate individuals' access to welfare and social protection while on the other hand as the key source of precarity (Alberti et al. 2018), especially in the garment supplier countries. In these countries, work is fragmented, and informal forms of work and social relations have an effect on production relations and supporting household income may become a key strategy for survival (Scully 2016). Therefore, understanding state's role on precarisation with enabling the rise of informal work in the household, and overrepresentation of woman's informal work where production relations are crosscut by relations of gender and community has an importance to identify class dimensions and collective action potential of female home-based workers. At this point focusing on the value of home-based work in the garment production networks is useful before concentrating on the case of Turkey.

## 2 Reconsidering the Value of Home-Based Garment Work in the Production Networks

The global economy is characterized by connected supply chains composed of organizationally separated stages; goods and services are traded in fragmented and internationally dispersed production processes and become part of the global production networks (GPN) (Haidinger and Flecker 2015).

In the early global commodity chain (GCC) approach, Gereffi (1996) analyses the dynamic factors that lead to changes in the position of countries and firms in global production system and shows that the impact of globalization is uneven across countries and regions; and especially textile, clothing, leather, and footwear are characterized by geographically dispersed production and rapid market-driven changes (ILO 2019).

While the organization of work is much more complex in global garment production network and differs from country to country according to their industrial structure, employment relations system and labour regime; the position that the labour takes place in the global economic system (Gereffi 1996) is the same for the lowest circle of the chain with poorer working conditions, low wages, precarious, uncertain, and unpredictable employment.

"Garment production is considered an important catalyst for national development, and often it is the typical starter industry for countries engaged in export-oriented industrialization due to its low fixed costs and emphasis on labour-intensive manufacturing … The majority of workers are concentrated in the production-related segments of the value chain and historically, they have been mainly been young, female workers with limited education … Many of these women entered the industry without qualifications, they usually work for long hours, are paid very low wages and have limited job security (Fernandez-Stark et al. 2011: 1–2)."

The demand in the garment industry for female work is fragmented, generating employment in factories, sweatshops or at home. While factory work has a relatively privileged position, other forms of employment such as home-based work has an informal and precarious character with no secure employment prospects (Dedeoğlu 2012). This is one of the main industries -second after unpaid family work in agriculture- where women work informally in most of the supplier countries in the global economy. Economic insufficiencies, state's inadequate support for the welfare of the households and high unemployed rates make it a necessity for women to find a work, while they still fulfil their gender roles and their contribution to the social reproduction of labour (Tartanoglu 2018). In this context, due to several barriers that women

experience for joining the labour markets, they tend to work from home and have a critical role in the labour process of producing value in the garment industry.

Home-based work is connected to the international garment production through a chain of complex relations between multinational companies, their buyers and local exporters, global and local intermediaries, and formal and informal workers. There is no clear data exists showing the number of workers who work from home in the global garment industry (Dedeoğlu 2012) as they are part of the informal employment, and it is hard to define their employment status.

Home-based workers produce goods and services for global markets from within or around their homes and although they remain largely invisible, these workers are engaged in many branches of industry and represent a significant share of urban employment in developing countries (Chen 2014). These workers, who are mostly women in the garment industry as mentioned, usually meet the costs of production themselves such as buying and maintaining equipment, paying for utility costs, often without legal protection and they are open for physical and legal risks while they are struggling with irregular work orders and strict deadlines. They are paid on a piece-rate basis which causes more vulnerability due to irregular and cancelled orders (Rogan et al. 2017).

The work of home-based women in garment production can be considered as a form of precarious work although the characteristic of this group is not homogenous in different supplier countries similar to the 'precariat' as a category itself. These workers are commonly seen as housewives and 'voluntarily' work for additional money in the spare time when they do not involve with stereotypical gender household roles and not defined as workers (Hattatoğlu and Tate 2016: 97).

The societal dimension of home-based work is defined with a complex relationship between patriarchy, gender roles at the point of production and reproduction relations. In Turkey, like the other late industrialized countries, the connection to the global capital and production networks creates indistinct boundaries between 'workplace' and 'home', and similarly production and social production have an intertwined character (Tezcek and Polat 2016). In this context, the effect of informalization and precarisation is experienced profoundly in the countries with supplying roles in the production networks within their complex traditional production relations as it is challenging to distinguish and regulate these areas. Furthermore, hidden relations of control and consent at the point of production form the potential or in the Turkish case restraint for the agency of labour which is explained next.

## 3 Methodology

The methodological framework of this study is qualitative with semi-structured, unstructured interviews and non-participant observation.[2] Oral narratives are also used to collect data and focus on the experiences of female workers. The fieldwork has been accomplished in Bursa and Tekirdağ in July and August 2015 -which constitute suitable examples of global garment production in Turkey- with a total of 19 interviewees. 13 of the interviewees (9 from Bursa, 4 from Tekirdağ) are women who work at home and participate in the global garment production with piece-rated work, 2 are mediators (1 from Bursa 1 from Tekirdağ) who organize and deliver the work to the women and 4 are people from NGOs and chambers (Chamber of Commerce and Industry, Women Entrepreneurs Committee and Women Assembly of Tekirdağ) which generally have access to the mediators or know the women's activities.

The questions which were asked to the women intend to understand the reasons to work at home, their profile as a worker, their working conditions, the nature of the labour process, their desire to organize collectively, their changing role in the household, and the connection to other women. Interviews lasted between half an hour to one and a half hour, all were recorded and transcribed. Observation and oral narratives are the other methods for data collection during the study. The researcher also used fieldwork notes as a mean of collecting data. It was essential to build the methodology on qualitative basis due to the necessity for interpretation and going beneath the surface according to the research objectives.

The author as a woman has not experienced any problems to interview the women.[3] Interviews were conducted after accessing the mediator woman in Bursa and piecework shop owner who worked as a mediator in Tekirdağ. It was almost impossible to find and access the women without these people. In Bursa after interviewing the women who lived very close to the mediator, researcher visited other women who work for the same mediator and arrange one room of their house as atelier and work with sewing machine. In Tekirdağ, accessing the mediator was not convenient as it was in Bursa. The author has first found the women who sell their own products in the street market. Even though they were not interviewed because of their loose relations with the

2 Semi-structured interviews were conducted with women workers and mediators, unstructured interviews were conducted with members of chamber and organizations who have information about the organization and distribution of piece work.

3 Due to the conservative structure in these cities, it is possible to have problems to interview the women in their own houses.

production network for national and international markets, they directed the researcher to a piece-work shop. This shop was an informal workplace which distributed the work to the women and collected when they finished and had a central place in the organization of the work. Observing the labour process and interviewing the women in the shop provided an opportunity to comprehend the network as a whole and labour control practices.

## 4 The Characteristics of Home-Based Work in Turkey

Turkey is one of the key supplier countries in the garment industry as a location which is close to Europe with low labour costs, its informal economy, flexible and shorter production cycles (CCC Turkey 2019). In the early 1980s Turkey's growth strategy shifted from import substitution to export orientation similar to some of the other late industrialized countries. Turkey became a supplier to EU countries in the global garment industry, as it has considerable advantages such as geographical proximity and low labour costs, primarily due to poor implementation of labour standards. About 65% of the Turkish garment and ready-made exports go to European Union countries every year in the global production network (IHKIB 2020). While one of the documented trends in global garment work has been the expansion of the female workforce in the export-oriented industrialization process, in Turkey, level of recorded female labour force is stagnant or slightly declining (Kandiyoti 2012) since the rise of urban population after 1980s. The main reason for this tendency is, the reduction of the activities in the agricultural sector with the policies implemented by the state, the decrease in the surplus in agriculture, therefore the dissolution of the population in rural areas and the increase in the rate of migration to the big cities. As rural women do not have the qualifications required for the jobs in cities, female unemployment and informal employment are increasing (Tezcek and Polat 2016).

Home-based work became a widespread tendency for less skilled women at the end of 1980s in Turkey, with the rise of unemployment rates in manufacturing sector which affected the women in labour force (Ecevit 1990). Additionally, the male breadwinner model and the internalized gender roles constitute constraints on women's participation in the labour markets. The female labour participation rate was considerably low during the export-led industrialization period after 1980, as a result of the settled 'housewification' culture affecting especially the women with a rural origin (İlkkaracan 2012) who were considered more suitable for home-based work. Additionally, labour market participation rates exclude unpaid family labour which attract women from

the same family circle into production. This is another reason of the presence of women's unrecognized and under recorded work especially in the garment industry (Dedeoğlu 2012). In this period, as a result of cost cutting strategies to reduce labour costs and maintain competitiveness, subcontracting became widespread in the garment industry and home-based piecework has been an essential part of this process (Sarıoğlu 2013).

It is not only the limited participation of women in the labour force, but also irregular and insecure jobs are frequently available to female workers, and they work outside the social security system. The informalization of female labour and feminization of informal work deepen with hidden reserve of home-based workers and unpaid women who consider their work as an extension of their domestic obligations and roles (Dedeoğlu 2012). Home-based work has become an integral part of the manufacturing industry and forms the basis of the global competition (Atılgan 2007). Moreover, some scholars define home as 'smokeless factory' (Atılgan 2007) or 'factory at home' (Tezcek and Polat 2016) when they stress on the conditions and characteristics of working at home.

In Turkey, especially in Istanbul which is one of the main hubs for garment production, high quality products for exports and domestic consumption are produced in large scale factories. Garment ateliers and home-based piece work on the other hand have an importance with their links to international markets and the production relations are organized around different market dynamics and create demand for informal labour and subcontracted links between producers (Dedeoğlu 2012).

Women form the weakest, invisible and unprotected link within the subcontracting relations in the global garment production network while they have a significant role to create value. Their integration in the garment industry takes place through family and kinship relations in Turkey (Dedeoğlu 2010). Home-based garment work is commonly included in informal employment in supplier countries and home might be a location that brings family and production relations together. This situation causes a contradictory effect on women's social and economic status in Turkey; working at home gives them a flexibility and does not conflict with their family duties (Kidder and Raworth 2004) however it also has a negative effect to make them dependent on the traditional roles such as elderly and childcare, in addition to the everyday household tasks (Aktaş 2013).

There are two types of barriers for women to join formal employment in Turkey. One of them is related to labour supply, which is affected by patriarchal culture, marital status, inadequate childcare services, and the second barrier is related to labour demand (İlkkaracan 2012; Toksöz et al. 2014). In

this environment, the distinctive characteristic of home-based work is that all activities carried out by women in the home are "invisible" and rendered worthless as the separation of production/reproduction activities carried out in the home is not clear, while outside the home, in the factory these boundaries are more definite which is expressed with the concepts of "private" and "public" space in the development process of capitalism. In today's global capital accumulation process, on the one hand, the "invisibility and worthlessness" of home-based working women's labour provides that piecework at home is accepted as "cheap labour" for the capitalist, on the other hand, it keeps the continuity of the ongoing and constantly transforming patriarchal culture by imprisoning women in the home (Tezcek and Polat 2016).

At this point it is critical to look at the number of women workers in the labour market in Turkey before analyzing the situation of women who work at home in the garment industry. The percentage of women in the labour force was 32.4% in April 2021, whereas this number is 63.8% in OECD (OECD 2020) and 62.8% in EU countries in 2020 (EUROSTAT 2021). The number of workers who work at home or stated their workplace as home is around 221 thousand in 2020 and over 90% of these workers are women. However, these numbers are far from reflecting the real situation as the vast majority of these workers take part in informal employment and are not included in official statistics (Güler 2021). One of the reasons for the invisibility of female workers who work at home in the garment industry in the statistics is; these women do not define themselves as workers but housewives during the data collection periods (Tartanoglu 2018). They internalize their gender roles and consider their work as an extension of their roles which deepens the informalization of female labour (Kidder and Raworth 2004). In this way, as a result of the legitimized gender ideology and complex power relations in the global production networks; different actors such as local subcontractors and mediators benefit from women's invisible work at home (Ergün 2004).

When we examine the opinions of the women who participated in this study about working at home, we can observe that these opinions differ primarily according to the place of birth. Five of 13 interviewees were born in Bulgaria and had to move to Turkey in 1990s following the compulsory immigration of Turks in 1989. Their education level was higher than the women who were born in Turkey which effect their understanding about working and contributing the family income. They have even changed the settled culture within the local women in Bursa regarding working:

> There was no such thing, 'working' here before. It was disgraceful. When the Bulgarians came, ours got used to it. (Handworker, 53, Bursa)

'Working' outside home within women who were born in Bulgaria had an importance and a positive meaning for the women:

> Work makes someone "human". You are something when you produce. It is so special when you go to market with the money you have earned, with your own money. (Machine and handworker, Bursa, 46)

These women had a responsibility to support their family and experienced difficulties to find a job after they have settled in Bursa and Istanbul. They were able to find a job in a textile or garment atelier as they had a technical training for four years in technical high schools to work in the garment sector. The mediator interviewed in Bursa worked for ateliers and factories during her first years in Turkey and emphasized the importance of working formally when she was looking for a job:

> As we came from a communist country, we looked for a secure job at the beginning as a formal employee. We did not want to work at an outsourced shop without social security. I knew all the machines for textiles and sewing. I was more qualified than the others. I could do everything. (Machine worker and mediator, Bursa, 51)

While educated, Bulgaria born women attributed a positive understanding to work outside, women who were local in Bursa, generally left the education system after primary school. The effect of patriarchal family structure was clearly observed on these women, and how traditional gender roles make it difficult to work outside:

> My husband did not let me work. "Working" was not common here before Bulgarians arrived anyway. I wanted to work in a factory, maybe in a trustworthy one. My husband said his social security is enough for both of us, "stay at home". (Handworker, Bursa, 53)
>
> When the housework is not done, we used to argue with my son, when there is no food. For example, if the work (piecework) needs to be done until tomorrow, there wouldn't be any food. My eldest son is also meticulous. The slightest dust in his room will cause trouble. How would I work outside with these on my shoulder? (Handworker, Bursa, 49)

Toksöz et al. (2014) define the three types of informal work for women in Turkey; industrial home-based work, unpaid self-employed work, and home-based care work. The rise of informalization and unemployment rates make women's work a necessity but without creating a conflict with the

patriarchal gender division in the household. In this context, low-skilled and unqualified women constitute an important source for informal and marginal employment in big cities which concentrate on home-based piece work and care work.

All the interviewees in this study can be included in informal employment with their industrial home-based work; they were working without a contract and their working hours were highly irregular. Parallel to the analysis of home-based work in the literature, the structure of their work represents 'a low-paid and labour-intensive work form primarily conducted by married women, where the productive and reproductive activities of women are juxtaposed both spatially and practically' (Balaban and Sarıoğlu 2008: 17). There are two types of work that observed in this study that form embedded control relations at the point of production: *handwork* and *working with sewing machine*.

Nine of 13 interviewed women were applying handwork on finished garments and four of these nine women were working for the piecework shop that the mediator manages in Tekirdağ. During the interviews, the author observed that the mediator was distributing piecework of a scarf factory in Istanbul. The work required gentle handwork which was sewing and correcting the edges of the silk scarves. The factory, a very well-known brand that exports its products to EU countries, delivers the silk fabric to the shop. The mediator was responsible for every step of the process after the factory delivered the fabric. He measured and gave the fabric to the women in meters. The women decided how much work they can complete according to their domestic work at home which had a direct effect on how much they earn. When they bring the finished work, the mediator has carefully checked the quality of the work and made the payment to the women and his role in the labour process was not limited with these tasks. He provided the women with a short training at the shop before the distribution of every new product. The factory in Istanbul worked with similar distributor shops where the mediators organize the process of the piecework.

The organization of home-based work and control practices in the supply chains have an effect to strengthen the gendered division of labour (Sarıoglu 2013). Women workers are usually reliant on the mediators for the supply of the work and have no control over the labour process. As they see the mediators as a father or a brother, as part of the patriarchal relations; resistance is not a way they choose but obey the gendered control mechanisms in the process (Tartanoglu 2018). Similar to the work done by women workers in this study, women's informal work forms a preferential labour category with its disposal nature and has a character to help to maintain patriarchal gender roles. They are preferred by global/ local employers and mediators as they are less likely to organize and act against their indecent working conditions due to their weak

or non-existing associational power (Dedeoğlu 2012; Ergun 2004; Hattatoğlu and Tate 2016).

Home-based work has a vulnerable character, providing limited or no bargaining power to workers to improve their conditions. Subcontracting relations intensify the invisibility of the women workers due to the multiple layers of the supply chains (Dedeoğlu 2012). While gender roles enforce the vulnerability of the workers through employment (Rogan et al. 2017), in Turkey, women's informal work in different locations such as garment atelier work or home-based piece work reproduces the patriarchal character of social and production relations which also posits the class consciousness of the workers. Women's work is restricted within the circles of family, kinship, and neighborhood-based networks and in these circumstances, employment is never or only temporarily practiced outside the domestic roles or considered as a permanent activity (Dedeoğlu 2012).

While the women who participated in this study have agreed on 'women should work outside in a formal job', being a mother and taking care of the children were the most important role for these women who were between 23 and 53 years old. Even the women who had an experience of working in a garment factory, stopped working after having their first child and started to work from home. The women found it more suitable to work at home for their 'peace of mind':

> I will not leave my children in anyone's hands. No one can raise them like me. When they grow up a little bit more, I will work in a different job outside in the future. (Handworker, Tekirdağ, 35)
>
> A mother should be at home in my opinion. You have to cook; you have to take care of your children. If you work outside of the home, all these tasks stay unfinished. (Machine and hand-worker, Bursa, 46)

The nature of home-based work in this study shows similarities to other examples in supplier countries with long and uncertain working hours, unregulated employment conditions with mostly no contract, monotonous and repetitive working conditions, self-defined labour time with strict deadlines, and, even if the work requires hand skills, it is defined as unskilled work in the labour market (Tartanoglu 2018).

> I work 7am to 6 pm. Only 1 hour break but no work on Saturday. I used to work on Saturdays, until 5pm. We are not working on Saturdays anymore. If the housework is tight, I can't work properly. Then I need to work until 10-11 pm at night. I can't finish otherwise. (Machine worker, Bursa, 43)

Defining their monthly income is almost impossible because of the irregular work both for the manual workers and women who work with sewing machines. Their income depends on how many pieces they manage to finish during the week.

> I earn 10kr per piece 100 TL per 1000 pieces. I can finish maximum 60 pieces per day, if I work nonstop all day, and I earn not even 1 TL.[4] I can finish 1000 pieces in 15 days. The work comes very irregularly, I cannot say every week or every month, whenever they [the mediator] gets the work, but I have to work in the end. (Handworker, 49, Bursa)

## 5 Power, Control and Issues of Labour Agency

The power relations in the home-based garment work labour process are distinctive in the complex supply chain dynamics where piece workers' labour is invisible and is not recognized as an 'essential element in the production and reproduction of GPNs through its centrality in the labour process' (Cumbers 2015: 135). Amongst all the actors in the network such as *the global brands and the lead firms* that commonly avoid liability for labour conditions further down their supply chain (Gereffi 1994; Locke et al 2013); *tier 1 suppliers* with direct commercial relations with the lead firms; *local mediators* who distribute the work to the home-based pieceworkers, home-based workers comprise the most vulnerable and informal group in the industry with weak potential of labour agency. Local suppliers and actors are embedded in GPNs while integrating vertical territorial relations, such as the role of states and local labour control regimes (Cumbers 2015); local control relations shape the nature and organization of garment work in different supplier countries within the complex networks.

Home-based piece rated work forms a central link in the value production and distribution (circulation) chain and is an integral part of industrial subcontracting relations in Turkey. Sending parts of production – most of the time stitching an item on a garment, or in some cases sewing some parts of the garment with the sewing machine – to home-based women enable companies to save on labour costs and costs for space, machinery, electricity, and other required inputs such as health and safety expenses (Sarıoğlu 2013).

4 1 Euro was approximately 3 TL during the interview period.

Coskun (2010) emphasizes three forms of home-based work in Turkey as piece rate work (for an employer, subcontractor, or mediator), order-based work and own account work. The first two types, which constitute the sample of this study, are dependent on an employer or mediator, whereas the last one is independent work and has the lowest income. Informal networks among women (kinship, neighborhood, etc.) are important in the distribution of home-based work and employment (Tezcek and Polat 2016). Mediators who are responsible for the division and collection of the piecework usually access the workers via their networks and a trust relationship is built during the process.

Local mediators in this study were the only actors in the chain whom the workers had a connection with, and this limited interaction intensifies their invisible position and low participation capacity in the network as an agent (Delaney et al. 2015). Most of the interviewed women lacked information about the rest of the production network or where the product goes. Additionally, both mediators who were interviewed also had limited interest about the destination of the product they work on:

> I do not know where these go abroad. We just deliver to the factory; I have no idea where the factory sends them. But I think they go to several countries abroad. I deliver 30 or 40 thousand scarves in winter. This is quite a big number. There are 8 teams like me in different cities. You can imagine how big the business is. So it is unlikely that this production is just for national markets. (Mediator, Tekirdağ)

As mentioned before, the mediators have multiple roles to manage the labour process of home-based piece work. However, their hidden role is to secure the trust relationship and consent which is the main dynamic of the labour control in the local garment labour process. The physical organization of home-based work produces separate working environments unless women work with sewing machines together using one of the women's houses as a workplace. Even then it is difficult to observe a strict surveillance of management and direct control. Women are flexible to organize their own work according to their domestic roles at home and control their own work. As observed at the distribution shop the mediator owns in Tekirdağ, the women see the mediator as part of their family, as a father or a brother. This close contact builds a responsible relationship based on trust and they do their best to complete the work on time. The mediator is seen as a member of the family which makes it easy to get permission from the husbands to collect more work. It is important to understand how the hidden exploitation and subordination of the workers

shape the invisibility of home-based piece work and their lack of awareness of their role in the garment supply chains.

> I trust him [the mediator] so much. When you deliver the finished work, you can definitely get your money. If you need money that week and could not finish the work, he can pay you anyway. He says you can give the rest next week. (Handworker, 36, Tekirdağ)

Three of the interviewees who worked for the mediator in Bursa and for other shops used a sewing machine which they own and produce garment instead of working on a finished product. The women who worked with sewing machine had strict deadlines and worse working conditions than the manual workers due to the quick turnaround times in the export process. They have consented to this organization of work as they believed they had no other option but working at home.

The characteristic of the power relation between the mediator in Bursa and the women whom she gave 'work' has a different dimension, based on a delicate hierarchy. She knew these women from Bulgaria, and they had a close relationship or even a friendship with the mediator, but they were dependent to her to provide piecework for them. According to Atılgan (2007) a hierarchy emerges unavoidably among the women especially during the distribution of piecework and production becomes more flexible by using kinship/neighborhood relations as a recruitment strategy. Kinship and community relations constitute an important factor in both women's access to piecework and the inclusion of women's labour in home-based production. White (1994; cited in Atilgan 2007) called the relationship between mediator and home-based working women as 'fictitious kinship'. Many women hear this type of work by word of mouth and through acquaintances. For this reason, the existence of both kinship and familiarity relations is vital in terms of reaching and obtaining a job.

The use of these relations in the production process shows that home-based work for the garment industry in Turkey has not only economic but also social dynamics. The irregular nature of the work leads to the development of solidarity networks among women living in the same neighborhood. If a woman is producing over a certain quota, she shares this quota with other women from her home or neighborhood when she thinks she cannot complete the work on time (Atılgan 2007). While these solidarity networks can form survival strategies for women, they also deepen their informal and invisible situation in the production network.

The women's lack of awareness of their role in the garment production network additionally generates a lack of collective interest and class consciousness. As most of them do not have a long-term and continuous working

experience, they have limited chance to communicate with other workers to build a collective voice. The structural power of these women is weak due to the fragmented nature of their work and this weak structural power is not supported by an associational power. Only one of the interviewees who was born in Bulgaria, has stated the importance of representation of collective interests and acting collectively:

> I used to be a trade union member. Turkey's biggest mistake is not giving enough importance to being organized and to collective actions, because we are a country of outsourcing and we do not have the right to get organized. Even the small fish move against the big fish together. Collective action is a necessity. Even formal workers do not have this right, so how can we get it? A person cannot take their right as an individual. They do as a collective. Some issues are resolved collectively. (Machine and handworker, Bursa, 46)

On the other hand, the following quote points out the risk of being unionized in Turkey, and what the worker experienced when she was working in a factory:

> Unionization is a great thing, but not everyone takes that risk. If you want to defend yourself, you will have to clamp together. We have already experienced this, we were organized, unionized and we were fired. (Machine worker, Bursa, 33)

Home-based workers in supplier countries have difficulties to express their voice or bargain collectively to make their working conditions better, and they have limited scope for negotiation due to unequal or exploitative supply chain dynamics (Chen 2014). Even though women workers' invisibility and various other social norms constitute barriers for women to act collectively, they organize under several solidarity organizations and associations such as HomeNet (Network of Homebased Workers Worldwide), WIEGO (Women in Informal Employment: Globalizing and Organizing), the Federation of Home-Workers Worldwide and Homeworkers Worldwide (Delaney et al. 2015).

In Turkey, the representation of home-workers is problematic due to the cultural reasons and the issues traditional representation mechanisms have been experiencing in the last 20 years. The transformation of the relations between unions and the current government strengthened the barriers to produce effective union policies as one of the main actors of industrial relations. The changing nature of employment, the loss of labour rights, increasing income inequalities and the problems to represent the growing number of vulnerable

and precarious workers are the main struggles that unions have to cope within this context. Organizing the unorganized worker groups is one of the main difficulties of traditional trade unions and there has been a tendency for such workers to be dismissed by unions due to the inadequate policies to represent and mobilize them. Additionally, according to the existing trade union regulation, home-based workers are not able to form or join a union as they are not employed formally, and are not part of the social security system.

While home-based work constitutes an informal and disadvantaged employment form, the female workers have more voice, especially in the household against the male members of the family, and in some cases working has a positive effect on their empowerment in the society. They organized to develop solidarity as cooperatives in the 2000s in Turkey and the first rights-based organization of home- based workers was founded in solidarity with HomeNet, as Turkey HomeNet in 2007. Additionally, the Union of Home-based Workers (Ev-Ek-Sen) was launched two years later as a worker organization, organized by female workers themselves (Tartanoglu 2018). However, it is not easy to state this kind of empowerment and these organizations create an opportunity for the women to build class consciousness to organize and act collectively. There are several reasons for this lack of consciousness and weak potential for labour agency such as the internalized gender roles and power hierarchies. Women's consent to relations with the mediators and the employers as an extension of their family relations make resistance or collective actions problematic options to use when they are not satisfied with their pay and conditions.

Furthermore, the Turkish state has a key role 'in constructing informal work, not only through defining the scope of regulations but also by shaping the power relations between capital and labour' (Hammer and Ness 2021: 3). While the 'withdrawal of the state from social provisioning' (Hammer and Fishwick 2021: 2) is clear, both the class polarization and the gender hierarchy have deepened with the policies implemented by the state especially since the current government came into power in 2002. Government approves the 'housewife' status of home-based working women by not including them in the official statistics and not regulating their employment conditions. The internationalization of capital in Turkey and the effort to reduce labour cost, have been supported by the measures taken by the state which intensified informal employment and flexible working forms. Therefore, women are forced to perform both social reproduction activities and to do informal, insecure work that will bring income to the family (Tezcek and Polat 2016).

When we think about the class dynamics and the potential for labour agency of home-based work, it is possible to mention the misplaced class status of the female workers. These women define themselves as housewives as

they carry out reproduction activities in the home under the pressure of the patriarchal culture, but they also do piecework and connect to the production network from home (Tezcek and Polat 2016). As they consider their piecework as a spare time activity but not an actual 'work', it is difficult to talk about their class position. However, even though they do not see themselves as workers, they are aware of the cumulative negative effects of physical effort, long hours, stress and frustration due to their hard work:

> I can't take care of my child properly. I can't take the time but have to work. We have to sacrifice some things. We do not want him to be like us but go to school. My husband works in a factory, under a heavy load. In the future, one of us will definitely be injured. My back hurts. I'm gaining weight. I never take time for myself. It would be nice if I could work only until 6pm. But that doesn't happen. There is housework. I can't really work all day, because of the housework. So, work stays overnight. (Machine worker, Bursa, 33)

In some cases, there are also risks at home when it comes to maintaining the occupational health and safety of both women and children. For instance, women sometimes buy raw thread for sewing and color it themselves for economic inabilities, which is a chemical process. The dyeing of the thread can cause breathing problems. Additionally, sewing machines, scissors and needles pose clear risks for children at home (Aktaş 2013). However, there has been almost no studies about these risks and, as the workers are invisible in the social security system, and they use the health insurance of their father or husband (if they have one) in the case of disease or accident (Aktaş 2013; Dedeoğlu 2012).

Tezcek and Polat (2016)'s research demonstrated that home-based women believe that they are not paid enough for the piece-rate work they do. These women wish to work outside, earn money, and guarantee their pension; however, their domestic roles form an obstacle for them to join the labour market in addition to the high unemployment rate in Turkey. Home-based workers are becoming conscious of their status as a worker once they notice the negative conditions that their work creates. However, it is problematic to consider these women's agency before defining them as 'workers' instead of 'housewives' which states the invisibility of the labour of home-based working women at the point of production and reproduction (Tezcek and Polat 2016).

As Cumbers (2015: 137) stated, workers 'hold considerable latent power by virtue of being the key to the production process'. However, their capacity to transform this power into effective agency and collective action to improve

their working conditions (Cumbers 2015) is directly related to the 'cognitive recognition of themselves as a class' (Smith and Pun 2018: 608).

Hammer and Ness (2021) emphasized that, class dynamics and political agency of labour are determined by the complex intersecting social and material relations which underpin informal and precarious work. In the Turkish case, due to the complex and heterogeneous social relations at the point of production and broader structural conditions and relations which complicate the awareness of their own class interest, home-based women workers are passive actors in the production process to raise labour standards. Their invisibility and passive role they have in the global garment production network have an impact on their vulnerable, informal, and insecure position, most importantly on their precarious future. While women undertake home-based piecework jobs due to their economic difficulties, their labour is deemed worthless as they are engaged in such jobs, and thus they are trapped in a circle that reinforces their economic difficulties.

> I am fed up with this job. But we need it. I also work at nights just to keep to the deadlines. I am very negative about the future. I don't think I can see better days through the end of my life. (Machine worker, 43, Bursa)

## 6 Conclusion

This chapter focuses on home-based garment work which has a crucial role in global garment production networks, as a form of informal and precarious work. Turkey was used as a supplier country example where state fragments labour and creates this type of work. In addition to the 'state's lack of intervention through policies and regulation' (Hammer and Fishwick 2021: 10) to recognize home-based workers' employment status or to raise the labour standards, complex gender dynamics and patriarchal relations have a negative effect on the workers' visibility and precariousness in their employment.

Home-based work constitutes a form of labour-intensive work within the global garment production network, and the workers are the weakest link of this network with low wages, long and irregular working hours and no job security. Their invisible position in the network is intensified as a result of their weak connections with the other actors such as brands, suppliers, trade unions or worker organizations and their weak associational power (Delaney et al. 2015).

Patriarchal relations are one of the main barriers to women's participation in formal employment in Turkey. Working at home complies with these relations and make it easy for them to fulfil their domestic gender roles.

The internalization of their gender roles and being a mother form consent among women to their working conditions, their low pay, irregular working hours and working without a contract. They consider working at home as an advantage to be close to their children and do not define themselves as workers but housewives. This misplaced class status and their location in the sphere of production remain problematic with inadequate state policies and lacking union presence. Therefore, observing effective collective action or resistance to the precariousness in their employment is reasonably difficult and developing agency among these workers in order to make them more visible is restricted with '*norms and values as well as gender and household relations*' (Carswell and De Neve 2013: 62). The interactions with the mediators are part of the patriarchal relations. The women's employment is based on trust as they see the mediators as part of their family or in some cases, they have a friendship with them. However, there is still a tight but hidden control mechanism based on the hierarchy and authority between the mediators and the women.

The study draws on the power relations, control, and consent at the point of piece work garment production, workers' potential as an agency in the process and how the women workers internalize their traditional gender roles regardless of their cultural background, education level and job profile in Turkey. As Hammer and Ness (2021) stated, production relations intersect with the social differences and are embedded in wider social relations which make class consciousness, resistance, and political action contingent and unpredictable. This study confirmed that the agency of labour is affected by the social and material dynamics and by the historical and social context. Home-based women workers are stuck in a vicious circle of patriarchy and precarity in supplier countries within complex social, economic and employment relations. Therefore, comprehending their role as value producers and making this role more visible remains critical in the global garment production networks.

## References

Alberti, Gabriella, Ioulia Bessa, Kate Hardy, Vera Trappmann, Charles Umney (2018) "In, Against and Beyond Precarity: Work in Insecure Times". *Work, Employment and Society*, 32(3): 447–457.

Aktaş, Gül (2013) "Üretiyorum Öyleyse Varım: Buldan'da Ev Eksenli Çalışan Kadınların Aile ve Toplumsal Yaşamda Görünmeyen Emeği". *Sosyal ve Beşeri Bilimler Dergisi*, 5 (1): 258–267.

Allen, Kieran (2014) "The Precariat: New Class or Bogus Concept?". *Irish Marxist Review*, 3(9): 43–53.

Atılgan, Saniye (2007) "Evden İçeri Bir Ev: Ev Eksenli Üretim ve Kadın Emeği". *Birikim* 217: 134–140.

Balaban, Utku and Esra Sarıoğlu (2008) "Home-based Work in Istanbul: Varieties of Organization and Patriarchy" http://www.spf.boun.edu.tr/docs/HBW_in_Istanbul_Varieties_of_Organization_and_Patriarchy.pdf Accessed: 3.8.2019.

Breman, Jan (2013) "A bogus concept". *New left review,* 84: 130–138.

Burchielli Rosaria, Annie Delaney and Nora Goren (2014) "Garment Homework in Argentina: Drawing Together the Threads of Informal and Precarious Work". *The Economic and Labour Relations Review* 25(1): 63–80.

Carswell, Grace and Geert De Neve (2013) "Labouring for Global Markets: Conceptualising Labour Agency in Global Production Networks". *Geoforum,* 44: 62–70.

Clean Clothes Campaign Turkey (2019), "Syrian Workers in Turkey's Garment Industry", http://www.temizgiysi.org/wp-content/uploads/2019/11/syrian-refugees-in-textile.pdf Accessed: 12.11.2019.

Coşkun, Gülsüm (2010) "Building Women Homebased Workers, Organizations in Turkey" *Global Labour Journal* Special Issue on Globalization (s) and Labour in China and India. 1 (1): 212–216.

Cumbers, Andrew (2015) "Understanding Labour's Agency under Globalisation: Embedding GPNs within an Open Political Economy", in K. Newsome, P. Taylor, J. Bair and A. Rainnie (eds) *Putting Labour in its Place*. Palgrave MacMillan, pp. 135–152.

Chen, Martha A. (2014) "Informal Economy Monitoring Study Sector Report: Home-Based Worker", https://www.wiego.org/sites/default/files/publications/files/IEMS-Home-Based-Workers-Full-Report.pdf, Accessed: 23.09.2021.

Dedeoğlu, Saniye (2010) "Visible Hands- Invisible Women: Garment Production in Turkey". *Feminist Economics* 16(4): 1–32.

Dedeoğlu, Saniye (2012) *Women Workers in Turkey- Global Industrial Production in Istanbul*. New York: I.B. Taurus.

Delaney, Annie, Burchielli Rosaria and Connor Tim (2015) "Positioning Women Homeworkers in a Global Footwear Production Network: How can Homeworkers Improve Agency, Influence and Claim Rights?". *Journal Of Industrial Relations* 57(4): 641–659.

Ecevit Yıldız (1990) "Kentsel Üretim Sürecinde Kadın Emeğinin Konumu ve Değişen Biçimleri" in Tekeli S (ed)*Kadın Bakış Açısından 1980'ler Türkiyesinde Kadınlar*, İstanbul: İletişim, pp. 105–115.

Ergün, Ergül (2004) *Atolye Kizlari* (*Workshop Girls*)*-A study of Women's Labour in the Export Oriented Garment Industry in Turkey,* PhD Thesis, University of Newcastle Upon Tyne, UK.

EUROSTAT (2021) Employment rates by sex, age and citizenship, https://ec.europa.eu/eurostat/databrowser/view/lfsq_ergan/default/table?lang=en, (Accessed: 10.06.2021).

Fernandez-Stark, Karina, Frederick Stacey and Gereffi Gary (2011) "The Apparel Global Value Chain-Economic Upgrading and Workforce Development" Available at: https://

gvcc.duke.edu/wp-content/uploads/2011-11-11_CGGC_Apparel-Global-Value-Chain.pdf (Accessed: 19.07.2021).

Gereffi, Gary (1994) "The organization of buyer-driven global commodity chains: How U.S. retailers shape overseas production networks" in Gereffi G and Korzeniewicz M (eds) *Commodity Chains and Global Capitalism*. Westport, CT: Praeger, 95–122.

Gereffi, Gary (1996) "Global Commodity Chains: New Forms of Coordination and Control among Nations and Firms in International Industries". *Competition & Change*. 1(4):427–439.

Güler, Ceyhun (2021) *Ev İşçiliğinin Türkiye'deki Görünümü- Kapsam, Boyut ve Sorunlar*, https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-ankara/documents/publication/wcms_803900.pdf, Accessed: 23.09.2021.

Hacısalihoğlu, Elif (2015) "Çalışma Yaşamında Güvencesizleşme, Belirsizlik ve Korku Üzerine Düşünceler". *Toplum ve Hekim*, 30 (4): 243–250.

Haidinger, Bettina and Flecker Jörg (2015) "Positioning Labour in Service Value Chains and Networks: The Case of Parcel Delivery", in K. Newsome, P. Taylor, J. Bair and A. Rainnie (eds) *Putting Labour in its Place*, Palgrave MacMillan, pp. 64–83.

Hammer, Anita and Adam Fishwick (2020) "Introduction: Labour Process Analysis and Work in the Global South- A Dialogue", in A. Hammer and A. Fishwick (eds.) *The Political Economy of Work in the Global South-Reflections on Labour Process Theory*, Macmillan Education, pp. 1–23.

Hammer, Anita and Immanuel Ness (2021) "Informal and Precarious Work: Insights from the Global South". *Journal of Labor and Society* 24(1): 1–15.

Harrison, Patricia, Collins Helen, Bahor Alexandra (2020) "'We Don't Have the Same Opportunities as Others': Shining Bourdieu's Lens on UK Roma Migrants' Precarious (Workers) Habitus". *Work, Employment and Society*, doi:10.1177/0950017020979502.

Hattatoğlu, Dilek and Jane Tate (2016) "Home-based Work and New Ways of Organizing in the Era of Globalization", in Lambert R and Herod A (eds.) *Neoliberal Capitalism and Precarious Work: Ethnographies of Accommodation and Resistance*. Cheltenham: Edward Elgar, pp. 96–124.

İlkkaracan, İpek (2012) "Why so Few Women in the Labour Market in Turkey?". *Feminist Economics* 18 (1): 1–37.

International Labour Organisation (ILO) (2019) *The future of work in textiles, clothing, leather and footwear*, Genava.

İstanbul Hazırgiyim ve Konfeksiyon İhracatçıları Birliği (IHKIB) (2020) Türkiye'nin En Fazla İhracat Yaptığı Ülkeler Genel, Hazırgiyim ve Tekstil, https://www.ihkib.org.tr/tr/bilgi-bankasi/istatistikler/k-233, Accessed: 10.06.2021.

Kandiyoti, Deniz (2012) "Foreword". in Dedeoglu S *Women Workers in Turkey-Global Industrial Production in Turkey*, New York: I.B.Taurus.

Kidder, Thalia and Kat Raworth (2004) "'Good Jobs' and Hidden Costs: Women Workers Documenting the Price of Precarious Employment". *Gender & Development* 12 (2): 12–21.

Locke, Richard M., Ben A. Rissing , Timea Pal (2013) "Complements or Substitutes? Private Goods, State Regulation and the Enforcement of Labour Standards in Global Supply Chains". *British Journal of Industrial Relations*, 51: (3): 519–552.

Lee, Ching K. and Yelizavetta Kofman (2012) "The Politics of Precarity: Views Beyond the United States". *Work and Occupations*, 394 (4); 388–408.

Munck, Ronaldo (2013) "The Precariat: A View from the South". *Third World Quarterly* 34 (5): 747–762.

Neilson, Brett and Ned Rossiter (2008) "Precarity as a Political Concept, or Fordism as Exception". *Theory, Culture & Society* 25 (7–8): 51–72.

Mezzadri, Alessandra (2020) *The sweatshop regime: Labouring Bodies, Exploitation, and Garments Made in India*, Cambridge: Cambridge University Press.

Organisation for Economic Co-operation and Development (OECD) (2020) *Labour Force Statistics*, https://stats.oecd.org/Index.aspx?DataSetCode=lfs_sexage_i_r, Accessed: 10.06.2021.

Rogan, Michael, Sally Roever, Martha A. Chen, Françoise, Carre (2017) "Informal Employment in the Global South: Globalisation, Production Relations and 'Precarity", in Kalleberg, A. L. and S.P. Vallas, (ed) *Precarious Work* (*Research in the Sociology of Work, Vol. 31), Emerald Publishing Limited, Bingley, pp. 307–333.*

Sarıoğlu, Esra (2013) "Gendering the Organization of Home-based Work in Turkey: Classical versus Familial Patriarchy". *Gender, Work & Organization* 20 (5): 479–497.

Scully, Ben (2016) "Precarity North and South: A Southern Critique of Guy Standing". *Global Labour Journal*, 7(2): 160:173.

Seymour, Richard (2012) "We are All Precarious-On the Concept of the 'Precariat' and its Misuses", *New Left Project*.

Smith, Chris, Pun Ngai (2018) "Class and Precarity: An Unhappy Coupling in China's Working Class Formation". *Work, Employment and Society*. 32(3): 599–615.

Standing, Guy (2011) *The Precariat: The New Dangerous Class*. London: Bloomsbury.

Standing, Guy (2014) "Why the precariat is not a 'bogus concept'", https://www.opendemocracy.net/en/why-precariat-is-not-bogus-concept/, Accessed: 8.1.2020.

Şenses, Nazlı (2015) "Rethinking Migration in the Context of Precarity: The Case of Turkey". *Critical Sociology*, 42(7–8), 975–987.

Tartanoglu, Safak (2018) "The Voluntary Precariat in the Value Chain: The Hidden Patterns of Home-Based Garment Production in Turkey". *Competiton&Change* 22(1) 23–40.

Tezcek, Fatma Ö. and Polat Özlem (2016) "Ev-İçindeki Fabrikanın İşçileri". *Fe Dergi* 8(1): 50–68.

Toksöz, Gülay, Saniye Dedeoğlu, Emel Memis Parmaksiz and Seçil Kaya Bahce (2014) *Turkiye'de Kadin Isgucu Profili ve Istatistiklerinin Analizi* Ankara: T.C. Aile ve Sosyal Politikalar Bakanlığı Kadının Statüsü Genel Müdürlügü.

Vosko Leah F., Martha MacDonald and Iain Campbell (2009) *Gender and the Contours of Precarious Employment*, London and New York: Routledge.

White, Jenny B. (1994) *Money Makes us Relatives: Women's Labor in Urban Turkey*, Austin: University of Texas Press.

CHAPTER 2

# Migrant Labour, State and Mobility-Effort Bargaining in Saudi Capitalism

*Ayman Adham and Anita Hammer*

## 1 Introduction

This chapter draws upon the 'double indeterminacy of labour power', a key conceptual development in labour process theory, to examine mobility power in Saudi Arabia. Control over mobility of migrant workers by the state is crucial to structuring the workplace, the labour process and the wider political economy of Saudi Arabia. However, little is known about mobility-effort bargaining and the specific forms of mobility power in the Saudi context. This chapter argues that mobility-effort bargaining is at the core of understanding labour-capital relations in Saudi Arabia.

Capital-labour relations and the workplace remain under researched in Arab Gulf capitalisms. Analyses of the labour process are even rarer. Scholarship remains dominated by either political economy approaches and their predominant focus on state-capital relations (e.g. Schlumberger 2008; Buhr and Frankenberger 2014) or by HRM perspectives (e.g. Mellahi 2007; Lauring 2013; Alzalabani 2017). This chapter addresses these gaps in scholarship by examining state-capital-labour relations in Saudi Arabia and undertaking a rich, qualitative case study of a Saudi workplace. Analytically, it draws upon the 'double indeterminacy of labour power', a key conceptual development in labour process theory (Smith 2006), to examine mobility-effort bargaining at the Saudi workplace.

In proposing mobility power Smith (2006, 2010) argues for the 'double indeterminacy' of labour power, that is effort power and mobility power, in the capitalist labour process. He contends that the indeterminacy of labour mobility is as crucial as indeterminacy around work-effort bargaining. 'Mobility indeterminacy' arises because there is no guarantee of permanency in the employment relationship, workers can change jobs and employers can fire employees. This 'double indeterminacy' or mobility-effort bargaining configures aspects of the labour process. This chapter examines mobility power in Saudi Arabia which constitutes an interesting

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context for its extensive and long-standing reliance on migrant labour as well as the significant role of the state in controlling migrant labour's mobility. Furthermore, the Saudi context raises important conceptual questions as the movement of migrants is controlled by a sponsor who can but does not have to be the employer, and thereby leads to complex bargains around mobility, wages and effort.

Control over mobility of migrant workers is crucial to structuring the workplace, the labour process and the wider political economy of Saudi Arabia. The emergence of large conglomerates, both domestic- and foreign-owned, in this region would have been impossible without the reliance on armies of 'temporary', highly controlled and low-cost migrant labour, mostly from countries in South and South-East Asia. Migrant labour accounts for more than 80% of the total workforce in the private sector (General Authority for Statistics, Saudi Arabia, 2018). The state strongly controls the mobility of migrants through the *Kafala* system (Alsadiq and Wu, 2015; Hanieh, 2015; Rahman, 2018). The *Kafala* system is a sponsorship system whereby the state controls the mobility of migrant labour in and out of the country as well as between employers. It accords employers considerable control over migrant workers, who cannot change their employers, while the employer can lay off migrants easily. Despite this evident significance of migrant labour and their mobility to Saudi capitalism, little academic analysis exists on mobility-effort bargaining and the role of the state in the Saudi context.

This chapter discusses mobility power along with the role of the state to examine first, how different instances of controlling mobility and effort interact to form a highly segmented labour market and workplace in Saudi Arabia. Second, it examines different forms of mobility power, looking specifically at the way sponsors, employers and agent-contractors frame the dual indeterminacy in the Saudi context. Through an analysis of shifting migration regimes in Saudi Arabia historically and a rich qualitative study of a typical workplace in the construction sector, the study distinguishes between different segments of migrant workers. A complex picture emerges of different agents of control of mobility and effort of migrant labour, that is the state, employer, other Saudi sponsors, and *tasattur* entrepreneurs (migrant workers who manage *tasattur* or 'concealed' business of their Saudi sponsor and control other migrant workers on his behalf). These agents control the mobility of migrant workers variably; some control some workers more than other workers. Consequently, there is not one but multiple forms of mobility-effort bargaining at the workplace depending on how sponsoring, employment, and subcontracting

practices are linked. We delineate these specific dynamics as constituting a 'sponsored labour regime'.

The key contribution of the chapter is to develop mobility power further firstly, by delineating a specific form of labour regime of mobility-effort bargaining. Secondly, it highlights the hitherto underdeveloped role of the state, and other agents of control, in conceptualising mobility-effort bargaining. Lastly, it demonstrates that the state's, capital's and other sponsor's control over migrants' mobility is not absolute, even in a highly controlled context of Saudi Arabia.

The chapter is structured as follows. The next three sections combine the literature on mobility power and state theory to comprehensively examine mobility power in the Saudi context. Section five discusses the research design and methods, and sections four and five to nine present and analyse the case study. Conclusions are drawn in section ten.

## 2 Mobility Power and the State

Mobility power is a key concept in labour process theory (LPT) proposed by Smith (2006, 2010). Through the *flow perspective* Smith (2010) develops mobility power and provides a sophisticated conceptualization of the labour process and labour power that is sensitive to flows of migration. This perspective emphasises a 'double indeterminacy' in the capitalist labour process. First, there is uncertainty regarding the conversion of labour power (the potential for work) into actual work effort. Although wages may be known in advance the conversion process remains open-ended as employers seek higher levels of effort intensification while workers may vary their levels of productivity and motivation. The second type of indeterminacy relates to uncertainties regarding how labour enters, remains within or exits the capitalist labour process. What is highlighted here is the mobility of labour which can enhance or impede the conversion of labour power into productive effort. 'Mobility indeterminacy' arises because there is no guarantee of permanency in the employment relationship, workers can change jobs and employers can fire employees. Therefore, there is also an important, albeit often unacknowledged, level of mobility-effort bargaining between employers and workers over the selection, retention and movement of labour linked to task allocation, job roles, reward and career development (Smith, 2006). Capitalist firms minimise the mobility power of workers through applying flexible employment contracts to segment jobs into different employment

contracts (e.g. part-time), manage them through different employers (e.g. through outsourcing and subcontracting), through advancement of loans and/or neo-bondage (Breman, 2010 on India), and through providing accommodation and exercising control over the realm of reproduction (Pun and Smith, 2007 for dormitory labour regimes in China). In sum, labour power consists of both *effort power* and *mobility power* providing workers a measure of agency in negotiating production and mobility indeterminacies respectively, and this is in juxtaposition to employers' attempts to control the effort and mobility of workers.

Despite being a powerful conceptual tool that captures the dialectics of employer control and agency of labour (Alberti, 2014), mobility power remains under explored at the workplace and tends to neglect the role of the state and global capitalist dynamics. Nowhere is the dialectic between global dynamics, national institutions and migrant labour more evident than in Saudi Arabia. Migrant labour, drawn globally, occupies more than 80% of the jobs in the private sector (Ministry of Labour, Saudi Arabia, 2017). The 'documented' migrants, around 12.5 million, constitute more than a third of the total Saudi population (Migration Policy Institute, 2015). The role of the state is crucial in organising and controlling the mobility of this vast migrant labour through the sponsorship system of *Kafala*. Yet, the state has remained largely marginal to LPT and to mobility power.

## 3 The State and Sponsorship in Mobility Control and Power

The state plays an essential role in the constitution of capitalist social relations: by shaping the conditions of work through regulation and repression, in mediating capital and labour relations, in shaping conditions for the reproduction of labour power through welfare mechanisms, or as a terrain of class struggle (Pearson 2014; Jessop 1990; Poulantzas 1978). Recent research on the Global South has demonstrated the centrality of the state in shaping both the conditions for the reproduction of labour power and the dynamics of work and the workplace itself (Chang, 2013). It has shown how the state reshapes the terrain on which the dynamics of the labour process are introduced and conditioned, suppressing forms of contestation that emerge and enabling the mechanisms of control.

Saudi Arabia presents a striking example. The state shapes the labour market through the *Kafala* system with implications for structuring the workplace, the labour process and wider political economy (Matsuo, 2015). The Kafala system is a long-standing and structured state policy that controls mobility

of migrants in and out of the country and within the country (that is between employers). It is a sponsorship system which accords employers (as sponsors or *kafeels*) considerable control over workers who are constrained as they cannot change their employers. The control is accentuated through precarious living conditions in migrant labour camps and enforced separation of migrants from their families.

Through the *Kafala* system, the state also ensures a near absence of industrial relations. At the workplace, *Kafala* helps create a centralised decision-making approach where the decisions of owners and managers are rendered unquestionable. Labour management in Saudi firms tends to be that of a 'hire and fire culture' which prefers 'predominantly employees who fear authority and work with minimum demands' (Mellahi 2007: 85). Lauring's (2013) study in a Danish MNC in Saudi Arabia shows that Danish managers treat workers of other nationalities (Indian, Egyptian, and Bangladeshi) in ways that were described as very 'authoritarian'. In the absence of trade unions, near authoritarian work relations and due to the immense power the *Kafala* system gives to employers, migrant labour appears to have almost no bargaining power with their employers (Mellahi, 2007; Rahman, 2011).

Such strong control over the mobility as well as bargaining power of migrant labour by the state (and the employer) requires an in-depth investigation into how and to what extent mobility is used to control effort in such an extreme context. Key to this is the conceptualisation of the state. In the dominant political economy literature, Saudi Arabia is described as a patrimonial rentier state which controls all resources and functions through two clientelist societal mechanisms of co-optation and coercion of Saudi elites and citizens (Schlumberger, 2008; Buhr and Frankenberger, 2014 Levins, 2013; Matsuo, 2015). These accord limited agency to capital or labour. In contrast, this chapter conceptualises the state as a social relation which is not simply an instrument in the hands of the ruling class but a terrain of class struggle (Poulantzas, 1978; Jessop, 1990). Poulantzas characterises an authoritarian state as one that shapes discourses, strategies and technologies of power through its repressive and ideological apparatuses to maintain the dominance of the ruling class and to attain hegemonic control. However, conceptualising the state as a social relation allows for a number of other possibilities, for example of possible ruptures and openings through which labour can confront repressive and ideological apparatuses of the state and capital's strategies, or of struggles between capital and the state in what is clearly a capitalist state (even though patrimonial and authoritarian). Conflict, crisis and control become evident. In Saudi Arabia, the crisis is manifest in its shifting migration regimes and in the functioning of its key state policies or institutional apparatuses, which are

analysed in section four. Importantly, for this study such conceptualisation widens the possibilities for understanding mobility control and power at the workplace.

## 4 Types of Mobility Control and Forms of Mobility Power at the Workplace

This chapter holds that the dynamics of state-capital-labour interactions in mobility-effort bargaining require an examination of the functioning of the *kafala* system at the workplace. For this study, this raises questions, firstly, about the extent of mobility control exercised by *kafala* at the workplace, and its implications for mobility power. Secondly, it contends that if the state is a terrain of class struggle, how do capital and labour challenge or circumvent its apparatuses of control and what are its implications for power?

Few studies in the Gulf region examine the agency of labour or capital, for instance how workers and firms pursue strategies to circumvent and manipulate the constraints imposed by the state and its policies (Adham and Hammer, 2019). Of particular interest here is the practice of tasattur. *Tasattur* or 'commercial concealment' refers to a Saudi citizen who allows an expatriate to use his/her licence and commercial registration to set up a business in return for a fixed amount of money. This practice, on one hand, is 'a rentier system that allows the citizen to extract revenues from the expatriate with little or no contribution themselves' (Kinninmont, 2015: 24); on the other, some Bangladeshi migrants have transformed their position from labourers to entrepreneurs through *tasattur* practices (Rahman 2011; 2018). *Tasattur* entrepreneurs (who are migrant workers) act as agents of capital for the Saudi sponsor/*kafeel* through managing and controlling other migrant workers. The presence of *tasattur* practice, therefore, suggests a complexity in the functioning of *kafala* at the workplace than hitherto considered; indicating segmentation among migrant labour as well as presence of different agents of control (other than the state and employer) of migrant labour's mobility and effort at the workplace.

Going forward, this chapter examines how mobility is used to control effort in the Saudi workplace and the role of the state in the same. In view of the evidence of *tasattur* entrepreneurs, it interrogates the possibility of more than one agent of control over migrant mobility. Lastly, it considers the implications for mobility power that arise from different agents of control, that is the possibility of different forms of mobility power.

## 5 Research Design and Methods

The research adopts a qualitative design to examine mobility power in Saudi workplaces. The approach allows collection of rich data and a deeper exploration of the relationships between the case and its real-life contexts using multiple sources of evidence (Yin, 2009). The design is contextualised in the wider political-economy through a historical analysis of the shifting migration regimes in Saudi Arabia.

The construction sector was selected for its potential to reveal aspects of mobility-effort bargaining. Predominantly reliant on migrant labour, the sector is also under considerable pressure from the government to allocate jobs to Saudis through Saudisation policies. The dynamics of state, capital and labour interactions as well as manipulation and resistance to state policies by firms and labour were expected to be present here. The case study firm, ConstructCo, was typical of the construction sector in Saudi Arabia. It is a family-owned firm founded in 1989 by a Saudi owner with a wide portfolio of firms. During this research, two large construction projects were awarded to it. The firm operates exclusively in Saudi territory.

The research was conducted between November 2016 and January 2017. Access to the firm was possible through personal connections that is *wasta* which was not only critical in gaining access but also to secure the interviewees' trust. Data was collected through three means - 19 semi-structured interviews, participant observation and document analysis – and was triangulated for analysis. Data saturation was a key guiding principle (Saunders et al, 2012; Bryman, 2016). The majority of interviews were semi-structured; however, open questions were also used to allow a deeper engagement with exploratory questions. All ethical norms of confidentiality, anonymity and written consent were rigorously followed. Written consent was obtained from all but eight interviewees, who stated they could neither read nor write. Table 2.1 profiles the interviewees.

A key aspect of the design included socialising with workers away from the workplace lasting more than 15 hours. This time spent outside the workplace with workers was invaluable in adding depth to the qualitative data (see Hammer 2010 for a similar approach). It involved, for example, sharing food with workers on various occasions. It enabled the researcher to gain workers' trust and a better understanding of workplace dynamics. The trust and informal engagement during such interactions was vital for understanding workers' relationships with managers, their experiences at the workplace and their relations with other groups of workers. Workers were more open speaking about

TABLE 2.1 Interviewees in ConstructCo

| Company | Managers | HR specialists | Supervisors | Manual workers | Clerical workers |
|---|---|---|---|---|---|
| ConstructCo (19 interviews) | 1 Saudi<br>1 Egyptian<br>1 Yemeni | 2 Saudis<br>1 Pakistani | 2 Saudis<br>1 Yemeni | 1 Saudi<br>2 Indians<br>2 Pakistanis | 3 Saudis<br>2 Yemenis |

SOURCE: AUTHORS

control, fear, anger, resistance, the notions of fairness and legitimacy in their social spaces.

Data was analysed through template analysis, which was used to code and categorise the data in a hierarchical thematic frame of both predetermined and emerging themes (King, 2012). The qualitative analysis was both concepts driven and then amended or added to as data was collected and analysed. Most categories were initially developed based on the theoretical concepts of the research framework (e.g. mobility, power, control), and the particular issues that relate to the research question (e.g. functioning of the *Kafala*). During the data analysis process, however, the initially developed categories were modified based on emerging themes.

Overall, this research design as well as its multiple methods were crucial since qualitative studies of Saudi workplaces and labour often face insurmountable challenges of access. The case study is presented and discussed in the following section.

## 6 Shifting Migration Regimes and Differential Mobility Control and Power

The state in Saudi Arabia instituted a particular migration regime in the 1960s–70s to control the working class. This proved very effective in labour extraction and capital accumulation over succeeding decades. The following section briefly charts the historical crisis and the emergence of current migration regime in Saudi Arabia. It then proceeds to analyse differentiated forms of the double indeterminacy by investigating the links between sponsor, employer, agent-subcontractor and worker strategies around mobility, wages and effort through the case of ConstructCo.

## 7 Contradictions and Crisis in the Migration Regime

Citizenship and Kafala create the main dividing line between Saudis and migrants and are central to the construction of the Saudi labour market (Hanieh 2015). With approximately 12.5 million 'documented' migrants, more than a third of the total population, Saudi Arabia is sixth in the world in terms of share of migrants of the total population, and the fourth most favoured destination for migrants (Migration Policy Institute 2015). This reliance on migrants in Saudi Arabia has historical antecedents. After the discovery of oil in the 1930s, and until the early 1970s, migrant labour in most Arab Gulf countries were Arabs from Egypt, Iraq, Jordan, and Yemen. By 1975, Arabs constituted around 80% of the total migrants in Saudi Arabia. However, this migration regime was challenged by the migrant Arab workers in the 1950s and 1960s. The period witnessed labour unrest in the Eastern province of Saudi Arabia with demands for better wages and working conditions (AlShehabi, 2015).

The labour mobilisation led to a change in the migration regime and the introduction of the *Kafala* system, that is sponsorship system for migrant workers. Central to this shift was the high control by the state over the mobility of migrant workers in and out of the country as well as between employers. From the 1970s till 1986, Saudi Arabia shifted to recruiting more non-Arab migrants. Arab migrants were seen 'as a primary cause of Arab nationalism, Nasserism and leftism in the Gulf' (AlShehabi 2015: 21); whereas migrants from South and South East Asia, recruited and managed through the *Kafala* system, were considered cheaper and malleable. They easier to isolate from Saudi citizens due to cultural and language barriers, easier to deport in the event of strikes, and their presence helped create a division among the wider working class (Khalaf, 2015). Today, non-Arabs constitute more than two-thirds of the total migrant population in Saudi Arabia as shown in Figure 2.1.

Thus, this migration regime, underpinned by strong state control over the mobility of migrant labour assisted capital accumulation by providing a cheaper and more pliable workforce to Saudi firms and citizens, while enabling the state to ensure wider societal control. Consequently, Saudi Arabia has managed to maintain a high growth rate.

However, the crisis in the world economy in the 1980s and 1990s revealed the contradictions in this otherwise successful regime. Declining oil prices created a budget problem for the Saudi state, while unemployment among Saudi citizens skyrocketed. The state's solution to the crisis was to introduce Saudisation policies. Launched in 1995, Saudisation is a bundle of state policies that are mainly used to promote the employment of Saudis in state-owned and

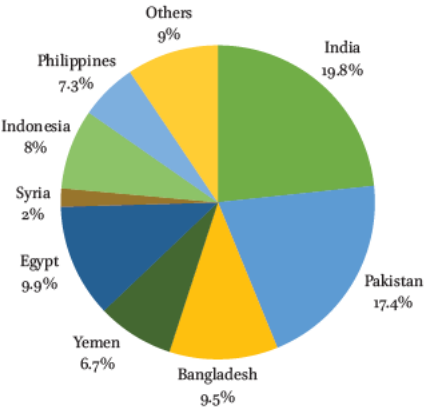


FIGURE 2.1 Estimates of migrant populations in Saudi Arabia
SOURCES: AUTHORS, BASED ON DATA FROM OKAZ (2017); ARABIC.SPUTNIKNEWS (2018)

private firms. Saudisation acts as a mechanism of co-opting Saudi citizens by the state, and accompanies the existing sponsorship system of *Kafala*.

Contradictions, nonetheless, have emerged in the institutional apparatuses of Saudisation and the *Kafala* system with unintended outcomes. Saudisation put a constraint on firms in terms of cost and control, who already pay an annual fee to the state for the work permits of migrant workers. In Saudisation, not only do firms have to pay Saudi workers more than the migrant workers, Saudi workers are less amenable to control than migrant workers who are dependent on the sponsor. Thus, the firms have found a mechanism of circumventing Saudisation through outsourcing a majority of their workforce (recruited through the *Kafala*) while meeting the mandatory Saudisation requirement (Adham and Hammer, 2019). This suggests a contradictory and 'inefficient' functioning of the state policies of Saudisation and *Kafala*, as also their possible circumvention by firms and labour (Rahman 2011, 2018). Importantly, these contradictions in the migration regime suggest the possibility of a greater complexity at the workplace than recognised so far in the scholarship (e.g. Mellahi, 2007). They raise questions about the extent of state and employer control over mobility and effort of migrant workers, and implications for mobility power. These workplace dynamics with respect to mobility control and power are examined next in ConstructCo.

## 8 Segmented Workers, Differential Mobility Control, and Variable Mobility Power in ConstructCo

ConstructCo is a family-owned business and follows a market-based logic; it hires low skilled, low-paid Saudis mostly to meet the Saudisation quota

requirement but relies overwhelmingly on migrant labour. Saudi nationals represent 26% of the workforce, Arab migrants from five different countries e.g. Egypt, Lebanon, Palestine, Jordan and the Yemen represent 29%, while non-Arab migrants constitute 45% of the workforce.

The non-Arab migrants are further segmented into three main groups: direct hire labour, non-sponsored workers, and free visa labour. The latter constitute a majority and are supplied by *tasattur* entrepreneurs. The entrepreneurs are covert/concealed businesses, owned by Saudis but run by non-Saudis. A fourth category of migrant labour that is undocumented migrants include escaped, *omrah* (on pilgrimage visa) or overstayed migrants. The four categories of migrant labour, distinguished by their work visa status, have their mobility controlled to varying degrees and through varying mechanisms by the state, the employer, both, or neither, or the Saudi sponsor (*kafeel*) and the *tasattur* entrepreneur - suggesting differential mobility control, as shown in Table 2.2.

### 8.1 *Direct Hire Migrant Labour*

Direct hire migrant workers are employed by ConstructCo under its own *kafala*. Their mobility is controlled by the state as well as the employer. They have no control over their exit-entry to the country and cannot move between workplaces unless authorised by the state and the employer. This is offset by their formal employment contract and some HR policies, e.g. they are entitled to medical insurance, annual leave, and airline tickets to visit home country. The firm also has to pay an annual fee to the government for their work permit. An Egyptian maintenance manager stated:

> Normally we do not recruit unskilled workers from abroad, instead we transfer their Kafala from other *kafeels* to us. I would say around 80% came in through a *Kafala* transfer. We hire them for a short period of time. If they suit us, we keep them. Otherwise, we give them their salaries at the end of the month and lay them off.

Despite the relative security enjoyed by direct hire labour, ConstructCo expelled and deported more than 500 direct hire workers (more than a quarter of its workforce) within 18 months during the economic downturn in 2015–16. Overall, this translates into limited mobility power of direct hire migrants at the workplace although they have the power to reduce effort through delays or minor sabotage at the workplace (conversations in social spaces).

Direct hire labour poses two restrictions on the firm: number of direct hire labour employed affects the Saudisation compliance, and it affects firm's flexibility and cost of labour. The firm circumvent the constraint of Saudi law by using non-sponsored workers.

TABLE 2.2 Mobility control and mobility power in ConstructCo

| Status of migrant labour | Mobility control/agents of control | Mobility power/mobility-effort bargaining |
|---|---|---|
| Direct hire migrants | The state<br>Sponsor = Employer<br>(ConstructCo as *kafeel*) | No movement between firms unless authorised by the state and employer<br>Limited bargaining power but can reduce effort |
| Non-sponsored workers: sponsored by a Saudi *kafeel* (firm or citizen) | The state<br>Sponsor ≠ Employer<br>*Kafeel* (other than ConstructCo) | Freedom to move between employers<br>Some scope for effort bargaining |
| Free visa migrants: sponsored by a Saudi *kafeel* | Saudi sponsor (k*afeel*)<br>The state<br>Sponsor ≠ Employer | Freedom to move between employers<br>Can quit the job anytime<br>Effort bargaining with the *tasattur* entrepreneur<br>Mobility control by Saudi sponsor<br>Reduces both employer and state control to an extent |
| *Tasattur* entrepreneur: sponsored by a Saudi *kafeel* | Saudi sponsor (*kafeel*)<br>The state<br>Sponsor holds licence for agent/entrepreneur | High mobility control by Saudi sponsor<br>Ability to bargain for effort<br>Reduces both employer and state control to an extent<br>Acts as an agent of control over other free visa migrants |
| Undocumented migrants: Unsponsored/expired sponsorship | Mobility is not controlled by the state or employer | Freedom to move, until arrested by the authorities<br>Evidence of high percentage of these workers |

SOURCE: AUTHORS, BASED ON RESEARCH FINDINGS

### 8.2 *Non-sponsored Labour*

There are 74 non-sponsored full-time direct hire workers who were recruited through recommendations made by existing staff of ConstructCo; some have

been working for almost three years. These workers are sponsored by another *kafeel* and hired by ConstructCo without a written employment contract because it is illegal to hire a migrant sponsored by another *kafeel*.

Currently, ConstructCo avoids transferring *kafala* from other sponsors. If it recruits more direct hire workers, its Saudisation rate would be affected and more Saudis would need to be recruited. Importantly, once the *kafala* transfer occurs the firm has no right to deport the migrant to his home country. According to Saudi law, only Saudi individuals and firms who have recruited the workers directly can make a deportation request. So, they can only lay off the worker, but the worker remains under the firm's sponsorship.

A key advantage of this labour is its low cost and the option of easy dismissal. Since there is no official agreement between the worker and the firm, both parties are free to end this verbal contract whenever they wish. The firm does not have to pay annual fee to the government, medical insurance, and the airline tickets for employees' annual leave to visit their home country; the workers pay for these.

The firm prefers to recruit these more easily dispensable non-sponsored workers. To workers, it provides greater freedom to move between employers when compared to sponsored workers of the firm. However, this freedom comes with financial cost and precarity. Overwhelmingly, however, the firm relies on free visa workers and *tasattur* discussed next.

### 8.3 *Tasattur Entrepreneur*

The key to understanding the complexity of work organisation at ConstructCo lies in comprehending the role of *tasattur* entrepreneurs, who are the main suppliers of migrant labour. According to the project manager of one of the construction sites, subcontracting offers the firm flexibility and fast turnaround on project completion. Another manager stated that labour costs were central to decisions over subcontracting:

> It is expensive to hire large numbers of construction workers for long periods of time, when we do not know how many projects we will get. Why would I bring labour from different countries, pay all these government fees, pay the workers fixed salaries - whether we have any construction projects? We can bring in a large workforce for any type of trade through subcontracting.

Hussein, a Pakistani citizen, manages his entire business using legal documentation registered under the name of a Saudi citizen. According to Saudi law, foreigners cannot own a private firm (except for large corporations). However,

this legislation is widely circumvented by *tasattur*, where an expatriate entrepreneur, such as Hussein, makes a 'verbal' agreement with his Saudi sponsor (*kafeel*), who owns a registered entity, to run a business for him. Hussein stated that the legal owner of the business is a Saudi citizen in the police force, who used his brother's name to form the firm. The owner is not involved in Hussein's business in any way, but he sponsors him and 120 Pakistani workers. Each worker pays this Saudi sponsor a fixed monthly payment of 500 Saudi Arabia (SAR) each, equivalent to 133 United States Dollar (USD).

In negotiations over a contract between Hussein and ConstructCo, Hussein was asked to bring the registered entity's official documents (a photocopy of the owner's ID and the commercial registry chapters). ConstructCo's project manager paid 20 SAR (6 USD) per each $m^2$ of a certain type of flooring. The price did not include materials, only the labour cost. Hussein accepted this offer and took the agreement to have it signed and stamped by his *kafeel*. Hussein paid his *kafeel* 15% of the total value of this contract, amounting to 93,000 USD. Hussein was unhappy about this practice:

> I bring the workers and do the work, while he sits on his chair and just takes the money. He takes money because he is a Saudi. This is not fair.

When asked how the price of 20 SAR per $m^2$ would guarantee him a profit, Hussein said that each floor layer manages around 30 $m^2$ per day, while the total cost of a floor layer per day is 200 SAR (53 USD). The actual cost of flooring for Hussein was almost 7 SAR per $m^2$ (200/30 = 6.66) (1.8 USD). Therefore, while the Saudi owner earns 15% of the total contract, Hussein as the migrant entrepreneur reaps the reward from the effort of his fellow Pakistani workers whom he manages. These Pakistani workers constitute the majority of 'free visa' migrant labour.

### 8.4 *Free Visa Migrant Labour*

Although the free visa workers are not employees of ConstructCo, they constitute the majority of workforce. 'Free visa' is a term used among migrant workers to refer to the purchasing of a work visa in one's home country, before being sponsored by a Saudi citizen or organisation on arrival in Saudi Arabia. The free visa recruitment process starts when the Saudi owner of a *tasattur* obtains a work visa from the government. This costs 2,000 SAR (533 USD). The Saudi owner then asks the migrants he is sponsoring to find workers who want to come and work in Saudi Arabia. Work visas are subsequently sold to migrants at price ranging between 12,000 and 15,000 SAR (3,200 to 4,000 USD). This amount is paid in full to the Saudi owner before initiating the legal process of

bringing the person to Saudi Arabia. The sponsor then asks for monthly fixed payments as well as all government fees. The worker will be free to work anywhere subject to monthly payments to the *kafeel*. Free visa workers have the relevant legal documents, but work illegally by working for a *tasattur*.

Free visa workers are day labourers and paid a daily rate of around 150 SAR (40 USD) for skilled work and 100 SAR (27 USD) for unskilled work. They suffer the worst working conditions and are subject to exploitation by their *tasattur* entrepreneur. They work around 10 hours a day, from 7:00 am to 5:00 pm Saturday to Thursday. Some entrepreneurs impose even longer working hours using various strategies. According to Hussein:

> After 5:00 pm, I do not come straight away. When they call me, I tell them I am nearby until it is almost six o' clock. Contractors like me have to make excuses and play games, so that the workers work more hours. This is the system here in Saudi; we are not in America.

In the absence of employment contracts, the workers can be laid off easily and need to show their commitment to the entrepreneurs. The free visa migrants interviewed were aware of being easily replaceable. One Pakistani worker stated:

> If I stopped before 5:00 pm, the next day the contractor would not take me to work; he would replace me with someone else. We are not paid by the hour like in Britain [laughs].

Workers' power to opt out from working with a particular entrepreneur depends on whether they can find work with other entrepreneurs. Therefore, free visa workers operate in communities and rely on personal connections to find work with different entrepreneurs.

Outside the workplace free visa workers are subject to high control by their *kafeels* and often subject to exploitation by them. The *Kafala* system gives the Saudi sponsor immense power to control the migrants and can enforce almost any rules he wants. One Pakistani painter stated:

> He starts with a small number of workers and then these workers invite others. In the beginning the *kafeel* is good, but when he has a large number of workers, he becomes very mean. I used to pay him 300 [per month] and now he asks for 500 [Saudi Riyal].

The more workers a *kafeel* recruits, the more leverage he gains to negotiate monthly payments or change the *Kafala* expenses. If a free visa worker wants

to change his *kafeel* he must negotiate with both the old and new *kafeel*, which may require payment to one or both of them. For instance, one Pakistani worker explained:

> I paid 28,000 [SAR] to the new *kafeel* because the old *kafeel* was on the government black list. Otherwise, I would have paid just 4,000 … If I had not paid him, the government would have sent me home.

The Saudi *kafeel* may refuse, though rare, to provide a migrant worker with an exit visa. According to one Pakistani worker:

> Yes, you can go home; you just need to pay him the 500 [Saudi riyal] each month, but some *kafeels* do not allow you to go. One of my friends wanted to go to Pakistan because his daughter had died, but his *kafeel* refused to allow him. When you come to this country it is no longer your decision; it is the *kafeel*'s decision.

Firms prefer free visa workers because they have no responsibility for them, while workers appreciate the freedom to move and choose their employer. The free visa recruitment method has been prevalent for a long time and is favoured by some migrants. For example, two workers interviewed had been in Saudi Arabia for over 20 years.

### 8.5 *Undocumented Migrants: Escaped, Omrah (Pilgrimage Visa), and Overstayed*

Undocumented migrants represent the extreme form of 'freedom' for labour and the extreme form of control exercised by capital and the state. They include 'overstayed' (due to an expired work visa) or those reported as 'escaped' by their *kafeels.* These are often workers whose sponsorship has been terminated by their *kafeel* and they are unable to find an alternate *kafeel*.

ConstructCo sponsors 92 migrant workers who work for other firms. In 2014, the firm tried to dismiss these workers, who had transferred their *Kafala* from previous sponsors to ConstructCo, but had no right to issue an exit visa. The HR manager gave the workers six months (unpaid) to find other sponsors. Only 7 out of the 92 managed to do so while the rest remain under ConstructCo's sponsorship. This brings ConstructCo in conflict with Saudi laws as this practice is illegal. The Saudi HR officer stated:

> We informed all workers that they had 30 days. If they did not transfer their *Kafala* to other *kafeels*, the firm would register them in the Passport Department as 'escaped'.

To be reported as an 'escapee' renders the migrant's presence in the country illegal. It leads to deportation by the Passport Department. Here, mobility is not controlled by the state or the employer and the migrant worker is 'free' until arrested by the State Authorities. While official figures are not available for this category of migrants, the percentage of this category of worker is reported to be high.

## 9 The 'Sponsored Labour Regime' of Mobility-Effort Bargaining

The complex dynamics of *kafala* at the workplace reveal a layered sponsorship system characterised by differential mobility control in ConstructCo. Three notable features stand out: the separation of sponsorship and managerial authority resulting in differentially complex and asymmetric bargains over mobility, wages and effort; varying mobility power at the workplace; and a segmented migrant workforce. What emerges is a specific regime of mobility-effort bargaining where the sponsor or the *kafeel* is key, be it the employer or the Saudi citizen. We term this a 'sponsored labour regime' of mobility-effort bargaining.

In this regime, direct hire labour represents the 'textbook' example of the state instituted mobility-effort regime. The state controls the mobility of direct hire labour in and out of the country as well as between employers. This accords employers as sponsors considerable control over workers who have very limited scope for mobility-effort bargain at the workplace. However, workplace reality reveals a segmented migrant workforce - categories of workers other than direct hire, that is non-sponsored, free visa and undocumented workers, along with *tasattur* entrepreneurs (who are also free visa workers). Their employers are not necessarily their sponsors, and vice versa. This renders them 'illegal' in Saudi law but their presence and widespread use by firms, and workers, represents a subversion of the system in order to preserve power and flexibility in the labour market for both, employers and workers.

Consequently, control at the workplace becomes more differential, functioning through different sponsors or agents of control of both mobility and effort of workers. Hence, it is crucial to distinguish between different levels of control and different agents of control that is state, employer, Saudi sponsor, as well as control by *tasattur* entrepreneur. Equally significant is the complex bargaining on mobility, effort and wages that arises from this differential control (see Table 2.2). For example, non-sponsored workers' mobility is controlled by their original *kafeel* but they have the freedom to move between employers and have some scope for effort bargain, unlike direct hire labour.

In the most striking case of free visa workers, the state, employer, Saudi sponsor and *tasattur* entrepreneur exercise variable levels of control. The state's control over the mobility extends only to entry and exit from the country. The employer has no control over the mobility and does not hold the right to deport them. Free visa workers have freedom to quit and to move between workplaces, unlike direct hire labour. They are free to work with any entrepreneur and may work for several during their time in Saudi Arabia. At the workplace, they experience less managerial control than direct hire workers. For example, they can travel home for up to six months per year almost whenever they wish, as long as they meet the monthly payments to their *kafeel*. This enhances their position in mobility-effort bargaining at the workplace since they have the freedom to sell their labour and to quit. They can negotiate pay and work intensity with the *tasattur* entrepreneur from a much stronger position than directly sponsored migrants. To an extent, both the state and employer's control is reduced. However, this is offset by the control over their mobility by the sponsor and struggle with the *tasattur* entrepreneur over work-effort bargaining. Workplace freedom is curtailed by this 'dual exploitation' (see also Rahman 2011). Free visa migrants are vulnerable because they have an 'informal' agreement with their sponsors. They are unable to take any collective action because they want to avoid the attention of Saudi authorities. The *kafeel* exploits the situation by withholding their travel documents and passports and bargaining for periodic increases in their fixed monthly payment.

Related to the free visa workers are *tasattur* entrepreneurs, who are also free visa workers but exercise control over other migrant workers. While their own mobility is controlled by the *kafeel*, they enjoy considerable freedom to move between employers and in effort bargaining. Importantly, they act as agents of capital by managing and controlling other migrant workers. Here again, while both the state's and employer control are reduced, that of the Saudi *kafeel* is considerable. Finally, undocumented workers are even 'freer' inside and outside the workplace, until arrested. Their mobility is not controlled by the state or the employer. Their high numbers in Saudi Arabia suggest the viability for both workers and firms.

In sum, the mobility, or limits to it, of the different segments of the migrant workforce acts as control mechanism and structures the work organisation and mobility-effort bargaining at the workplace (Smith 2006; 2010). Importantly, and going beyond Smith's conceptualisation, there is not one but multiple forms of mobility-effort bargaining at the workplace depending on how sponsoring, employment, and subcontracting practices are linked. As the movement of migrants is controlled by a sponsor who can but does not have to be the employer, it leads to complex bargains around mobility, wages and effort

between different segments of migrant labour with different agents of control. The outcome is variable mobility power at the workplace (see Table 2.2).

## 10 Conclusion

To conclude, the analysis reveals mobility-effort bargaining is at the core of understanding state-labour-capital relations in Saudi capitalism. It highlights the underdeveloped role of the state, and other agents of control, in conceptualising mobility-effort bargaining. The specific dynamics combine to create a particular form of labour regime in the Saudi context – 'sponsored labour regime' of mobility-effort bargaining. Similar examination of mobility power in other Southern contexts, where migrant labour and the state are as significant (though in different ways) in structuring capital-labour relations, may provide further insights.

Importantly, the presence of a vast segmented migrant workforce, in what is a highly controlled and state-instituted migrant labour regime, is evidence of active subversion by firms and workers of that labour control regime. The state's and capital's control over migrants' mobility and effort is not absolute. The various 'illegal' segments and practices create incongruities and conflicts in the labour market and at the workplace, with variable mobility power. Consequently, the Saudi workplace is a contested terrain of state's controlling measures, pressures to facilitate accumulation, and agency of labour (Edwards 1979; Poulantzas 1978).

As a qualification in the end, a replication of this study may yield different results in future in light of changes in Saudi state policies from 2018, especially Vision 2030. Data collection was conducted in 2017 and does not cover the recent changes in state policies, in particular the policies that enhance migrants' positions in the labour market by restricting the misuse of the *kafala* system by employers. The most notable policies are the green card system and the enhancement of the contractual relationship scheme. These aim to diminish the practice of *tasattur*, increase Saudisation, increase the cost of migrant labour's work permits, and are expected to impact the workplace and the Saudi labour market.

## References

Adham, A. and A. Hammer. (2019) Understanding Arab Capitalisms: patrimonialism, HRM and work in Saudi Arabia, *International Journal of Human Resource Management*. https://doi.org/10.1080/09585192.2019.1695649.

Alberti, G. (2014). Mobility strategies, 'mobility differentials' and 'transnational exit': the experiences of precarious migrants in London's hospitality jobs, *Work Employment and Society*, 28(6): 865–881.

Alsadiq, N. and Y. Wu. (2015) Evaluating reforms in the workforce: a comparative study of the Kafala system in Bahrain and Qatar. The Institute for Middle East Studies, Washington. It is published.

AlShehabi, O. (2015). Histories of migration in the Gulf. In A, Khalaf, O, Alshehabi, A, Hanieh (Eds.), Transit States (pp. 3–38). London: Pluto Press.

Alzalabani, A. H. (2017) 'Antecedents of job satisfaction in Saudi Arabia: impact of industrial sector', *International Journal of Business and Management*, 12(11), pp. 61–72.

Breman, J. (2010). Neo-Bondage: A Fieldwork-Based Account, *International Labor and Working-Class History*, No. 78 (FALL 2010): 48–62.

Buhr, D. and R. Frankenberger. (2014). Emerging varieties of incorporated capitalism: theoretical considerations and empirical evidence. *Business and Politics*, 16(3), 393–427.

Bryman, A. (2016). Social research methods (5th ed.). Oxford: Oxford University Press.

Chang, Dae-oup. (2013). 'Labour and the "Developmental State": A Critique of the Developmental State Theory of Labour' in Beyond the Developmental State: Industrial Policy in the Twenty-First Century, edited by Ben Fine, Jyoti Saraswati and Daniela Tavasci. London: Pluto: 85–109.

Dito, M. (2015). Kafala: foundations of migrant exclusion in GCC labour markets. In A, Khalaf, O, Alshehabi, & A, Hanieh (Eds.), Transit States (pp. 79–100). London: Pluto Press.

Edwards, R. (1979) Contested terrain: the transformation of the workplace in the Twentieth century. London: Heinemann Educational.

General Authority for Statistics Saudi Arabia (2018). Annual Yearbook 2017. Available from: https://www.stats.gov.sa/en/46 [Accessed 3 April 2018].

Hammer, A. (2010). Trade Unions in a Constrained Environment: Workers' Voices from a New Industrial Zone in India, Industrial Relations Journal, 41/2: 168–184.

Hanieh, A. (2015). Capital, labour, and state: rethinking the political economy of oil in the Gulf. The oxford Handbook of contemporary Middle-Eastern and North African history, (January), pp. 1–14. Available from: http://oxfordhandbooks.com/view/10.1093/oxfordhb/9780199672530.001.0001/oxfordhb-9780199672530-e-3. [Accessed 11 January 2015].

Khalaf, A. O. Alshehabi and A. Hanieh, (Eds.) (2015) Transit States. London: Pluto Press.

King, N. (2012). Doing template analysis. In G. Symon & C. Cassell. The practice of qualitative organizational research: core methods and current challenges (pp. 426–450). London: Sage.

Kinninmont, J. (2015) Future trends in the Gulf. Chatham House Report, London. Available from: https://www.chathamhouse.org/sites/files/chathamhouse/field

/field_document/20150218Fu tureTrendsGCCKinninmont.pdf [Accessed 22 March 2017].

Lauring, J. (2013). 'International diversity management: global ideals and local responses', *British Journal of Management*, 24(2), pp. 211–224.

Levins, C. M. (2013). The rentier state and the survival of Arab absolute monarchies. *Rutgers Journal of Law and Religion*, 8, 388–423.

Matsuo, M. (2015). Authoritarianism and labor market: preference of labor policies in the Arab Gulf countries. Institute of Developing Economies Discussion. Chapter No. 514, Tokyo. Available: https://ir.ide.go.jp/index.php?action...active_action ...action. [Accessed 29 May 2016].

Mellahi, K. (2007). The effect of regulations on HRM: private sector firms in Saudi Arabia. *The International Journal of Human Resource Management*, 18(1), 85–99.

Migration Policy Institute (2015). Top 25 destinations of international migrants. Available from: https://www.migrationpolicy.org/programs/data-hub/charts/top-25-destinationsinternational-migrants [Accessed 14 January 2017]

Ministry of Labour Saudi Arabia (2017). التقرير السنوي لتقرير ٢٠١٦ [The annual report for 2016]. Available from: https://mlsd.gov.sa/en/†ئي†ص†إح-†ير†ر†تق/statistical-yearbook-1437–1438-e [Accessed 11 August 2017].

Pearson, R. (2014). Gender, globalization and the reproduction of labour: bringing the state back in. In S. M. Rai & G. Waylen (Ed.), New frontiers in feminist political economy (s. 24). New York: Routledge.

Poulantzas, N. (1978). State, Power, Socialism, translated by Patrick Camiller, London: Verso Books.

Pun, N, and C. Smith. (2007). 'Putting transnational labour process in its place: the dormitory regime in post-socialist China', *Work Employment and Society* 21(1): 27–45.

Rahman, M. (2011). Does labour migration bring about economic advantage? A case of Bangladesh migrants in Saudi Arabia. Institute of South Asian Studies. Working chapter No. 135, Singapore. Available from: http://ssrn.com/abstract=1938168 [Accessed 6 April 2015].

Rahman, M. (2018). Beyond labour migration: the making of migrant enterprises in Saudi Arabia. *International Sociology*, 33(1), 86–106.

Saunders, M., P. Lewis, and A. Thornhill. (2012). Research methods for business students (6th ed.). Essex: Pearson.

Schlumberger, O. (2008). Structural reform, economic order, and development: patrimonial capitalism. *Review of International Political Economy*, 15(4), 622–649.

Smith, C. (2006) 'The double indeterminacy of labour power: Labour effort and labour mobility', *Work, Employment and Society*, 20(2):389–402.

Smith, C. (2010) Go with the flow: Labour power mobility and labour process theory. In P. Thompson, P. and C. Smith (Eds.) (2010), Working life: Renewing labour process analysis (pp. 269–296). Basingstoke: Palgrave Macmillan.

Yin, R. (2009). Case study research: design and methods (4th ed.). London: Sage.

# PART 2

## *Africa*

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CHAPTER 3

# Store Hours, Retail Working Time and Precarious Labour in South Africa, 1960s–1980s

*Bridget Kenny*

## 1 Introduction

This historical chapter traces debates and struggles over store trading times (which determined working time) from the 1960s to the 1980s in Johannesburg, South Africa, to explore the connection of working time debates to the precarianisation of retail labour in South Africa over the ensuing decades. Debates about trading time and working time, and how unions engaged therein, were fundamentally linked with changes to the labour market of service workers over this period. This paper explores how the emergence of precarious labour in sectors like retail can be explained as conjunctural moments written from the global South. This research is based on extensive archival research which links regulatory changes, union politics, national debate and labour market changes to how shift systems in retailing changed between the 1960s and the 1980s.

In the late 1960s and early 1970s in Johannesburg, a long-standing debate around the extension of store trading hours was posed as a trade-off by the union for achieving the five-day working week for retail workers, who unlike most manufacturing workers still worked six days per week. Store trading hours in South Africa were regulated by provincial ordinance, and by this time in the Transvaal Province generally were open until 5:00 or 5:30 p.m. on Mondays, Tuesdays and Thursdays, 5:30 p.m. on Fridays and 1:00 pm on Saturday afternoons. This paper examines the historical debates as unions in the sector began to acquiesce to extended trading hours (implicating working hours) in the face of retailer claims of competition and as unions made what was ultimately an unsuccessful bid to win a shorter working week for a majority (white) women workforce.

The debates over extended trading hours reveal a watershed moment for retail workers in Johannesburg in the 1970s as the issues of flexible shifts, casual employment and late working hours became central to changes to the retail labour process in the following decades, as in other contexts (see Bank Muñoz et al. 2018; Carré and Tilly 2017; Luce 2013). By returning to an

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important moment when unions attempted (but ultimately lost) an argument for a shorter working week and other demands around working time, this paper argues that precarianisation of labour in retail must be viewed through a 'conjunctural' analysis in which relations articulated in space and time explain the changes to labour processes and regulation (see Hall 1980; Clarke 2014). Ultimately, the union traded better shifts for white women against the time of newly entering black women service workers and then casual employees. This seemingly 'local' history from the place of Johannesburg, I contend, constituted the very global historical moment of deregulation of working time in retailing, made visible here in its articulated racial, gendered and class relations. That is, the history of deregulation was not one generated in the global North, which then later circulated to other places. The expansive literature on precarious employment often takes the global North as its starting point, where precariousness comes to signify a shift (albeit important) from welfare and labour market protections (e.g., Standing 2011; Vosko 2010; Kalleberg 2013; Allison 2013). Precariousness has been a central feature of colonial and post-colonial labour markets in the global South for generations, of course (Breman and van der Linden 2014; Braga 2016; Kenny 2016; Scully 2016; Hammer 2019). This paper shows how the processes by which 'flexible' working time patterns came into being were co-constituted from multiple (and imbricated) sites, including places like Johannesburg, and thus emerged out of and through articulated relations.

By consequence, this paper suggests that attempts to regulate precarious labour deriving from abstract presumptions of standard labour relations misses the longer embedded histories of the constitution of such patterns in the first place. As demonstrated here, the regulatory terrains which defined workers' conditions in the first place have been complex, multifaceted and historically intertwined with other forms of regulation.[1] Precarious conditions emerge within and out of local-global articulations in time and space. The framings, negotiations and indeed, politics of those processes condition both the forms of demands but also the ways in which precarious labour itself has been shaped. In short, from these situated relations a global regime of preciousness took shape.

I trace store trading hours regulation and battles around it by the unions as a function of protecting working hours. We see a dynamic set of trade-offs

1 See Boris (2019) for how women workers' organisations across the world acted through transnational activism to push the ILO to expand its focus to include precarious workers, most notably domestic workers, in its regulatory scope, as one example of the interconnections of struggles.

('quid pro quo', as one union official called the bargain) over the years. Working hours initially came to limit trading hours, and then as working hours became standardised, retailer interest in expanding trading hours pushed back on working hours, which directly impacted on the introduction of differentiated weekly shifts in retailing. The union fought a battle against the shopping time of consumers by reinforcing a discourse of protecting white women and their essential role as caregivers in the (white) nuclear family. This powerful framing stayed arguments for extended trading for a while, but as conditions changed, the union eventually accepted different shifts within earlier gains around working time for some, but not all workers. The union traded security for its existing members for opening 'un-social' shifts to new hires. This 'local' bargain converged as the labour force shifted to black women, and partly explains the expansion of casual employment by the late 1980s. The sedimentation of regulatory battles over decades helps to explain the specific contests and negotiations by the 1980s, when new shifts peopled by new employees became the answer to addressing later trading hours.

## 2 The Early Years: The Battle over Shop Hours as an Issue of Working Hours

In South Africa, as in other places, store trading hours for most of the nineteenth and twentieth centuries were coincident with working hours. Across countries, shop assistants worked long hours (Roberts 2002, 112; Bastian and Quayle 2016, 24; Quinlan and Goodwin 2005, 345; Costa 2000, 649). Indeed, the long length of store hours was an issue within other British dominions like Australia and New Zealand from the late nineteenth century, initially countered through voluntary agreements (Quinlan, Gardner and Akers 2005; Quinlan and Goodman 2005; Bowden 2009; Bastian and Quayle 2016; Roberts 2002). By the 1880s, general unions of shop assistants provided an alternative organisational base for hours campaigns in other settler colonies (Quinlan and Goodwin 2005; Quinlan, Gardner and Akers 2005; Bastian and Quayle 2016). As Quinlan and Goodman (2005, 342) write for Australia, "Prior to working time legislation, limiting trading hours represented the only practical means of curbing the hours of retail workers." Unions specifically argued for legislative solutions to overcome the vagaries of voluntary agreements. Early closing hour campaigns were, then, an underacknowledged contribution to working hours campaigns (Quinlan and Goodwin 2005), and early closing laws were seen as an "instrument of social protection" (Quinlan and Goodman 2005, 342; Quinlan, Gardner and Akers 2005).

Similar legal provisions were on offer in South African debates around regulation. In South Africa unions were successful at limiting trading hours from the first decades of the twentieth century as a means of restricting working hours, yet regular returns to the issue provoked amendments and contestation around this regulation throughout the century. The first Shop Hours Act in 1908 specified opening hours for merchants based on the nature of the commodities dispensed. Sunday trading was regulated in a separate law, which prohibited trading on Sundays except for certain 'necessity' provisions. In general, the first regulations set closing times at 6:00 p.m. on Mondays, Tuesdays, Thursdays and Fridays. They established a Wednesday afternoon 'half-holiday' from 1:00 p.m., but shops could trade on Saturdays until 9:00 p.m.[2] The regulation of shop hours became the standard for working hours of shop assistants.

In these first decades, shop workers legally could work up to 54 hours per week, but infringements of the Shop Hours Act were frequent with enforcement reliant on reluctant assistants testifying. Thus, it was through pressure from trade unions, such as the Shop Assistants' Association and the Johannesburg Shop Assistants, Warehousemen and Clerks' Association, that further amendments were made to the Shop Hours Act to become the first Transvaal Provincial Ordinance.[3] By 1913 weekly hours were reduced to 52 per week.[4] The Shop Hours Ordinance was revised in 1916 and another commission investigated in 1920, proposing earlier closing times in 1923 legislation, reducing hours to 48 per week for assistants, and including a provision for merchants to choose to close either Saturday or Wednesday afternoon, as the shop assistants' half-holiday.[5] In 1927 amendments were pushed again to insist on store closing by 6:00 p.m. on Monday, Tuesday, Wednesday and Thursday, 7:00 p.m. on Friday, and a 1:00 p.m. Saturday closing time, through an alliance of the National Party with the Labour Party, which tried to normalise a standard (white) working class break time (Saturday afternoon to Monday morning), but provoked such

2 "Shop Hours: The Regulation Suspended". *Rand Daily Mail*. October 25, 1907, p. 4; Memo, J.R. Altman, NUDW, "Shop Hours Legislation in the Transvaal", University of the Witwatersrand Historical Papers, National Union of Distributive Workers (NUDW) archives, Head office, (hereafter AH 1494) Da 2.4.

3 Letter from Secretary, Johannesburg Shop Assistants, Warehousemen and Clerks' Association to Secretary of Justice, Dec 19, 1911. South African National Archives, Transvaal Province (Hereafter TAB) LD 1503 AG3714/07; "Labour's New Allies, Meeting of Shop Assistants, Mrs. Wybergh on Underpaid Girls," *Rand Daily Mail*. July 29, 1912, p. 7.

4 "Shop Hours Bill, Select Committee's Amendments, The Hours of Opening and of Work," *Rand Daily Mail*, September 3, 1913, p. 8.

5 "New Shop Hours Act, How it Works, Usual Hours in the Big Stores," *Rand Daily Mail*, May 23, 1923, p. 10.

outrage from Johannesburg retailers that they organised to repeal it in 1928, and to restore the choice of Wednesday or Saturday afternoons off.[6]

After 1924, a new Industrial Conciliation Act established the South African industrial relations regime, in which white workers were incorporated as 'employees' (while African workers, designated 'pass bearing natives', were not, and thus, not allowed to be members of trade unions which could represent them) (see Chanock 2004). It raised the issue of regulation of employment conditions for shop assistants by the 1930s, when a national union was beginning to be formed.[7] Thus by the 1940s, employment law came to regulate the working hours of retail workers, and in effect, in turn, helped to set limits to trading hours (Kenny 2022).

In 1942 another commission sat to consider Saturday afternoon closing and an earlier Friday evening closing following changes to provincial ordinance in Cape Town and Durban. This effort was led by the National Union of Distributive Workers (NUDW) in its campaign for a 44-hour working week. This was one of the first campaigns of the new national union (which amalgamated regional unions into a single union in 1937). Through the campaign, the NUDW appealed on behalf of "the majority of shop assistants [who] are young women, the future mothers of the nation". The shopping public, it was argued, does little actual shopping on Friday nights, instead "turn[ing] it into a social parade".[8] Now smaller retailers across the region supported Saturday afternoon closing with mainly Johannesburg retailers arguing for Saturday shopping. Particularly in the context of wartime shortages, it was put that retailers must be allowed to trade when they wanted.[9]

By the 1940s, Johannesburg retailers expanded, and many chain stores employed hundreds of workers with front-line service jobs held by working class white women. White men served as sales assistants, supervisors and managers, and black men worked behind the scenes as distributive workers (Kenny 2018, 35–42). The NUDW acted as an occupational union having formed out the merger of regional professional associations. Its politics straddled a more conservative white labourism from its Transvaal precursors and a more progressive inter-racial working class understanding from early Cape communist party organisers (Kenny 2018; and see Hyslop 1999 for white labourism).

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6 "Early Closing on Saturday: A Johannesburg Protest," *The Star*, April 5, 1927, p. 1, AH 1494/Da 14.2.1.

7 "A Hiatus in the Law, Shop Assistants' Hours of Work," *Rand Daily Mail*, August 18, 1936, p. 14.

8 Pamphlet: "To the Public of Durban", April 7, 1937, National Union of Distributive Workers, Durban Branch. AH 1494/Da 2.1.

9 "Public Needs Should Come First," *Rand Daily Mail*, May 12, 1941.

Over its history the union represented white and coloured and Indian workers according to allowed (changing) legislation. In the 1940s, it even allied with the African Commercial and Distributive Workers Union, which organised black men distributive workers and participated in an important joint strike in 1943. Often this moment is seen an example of cross racial organising opened by industrial unions under the particular conditions of the interwar and war years of 1930s and the early 1940s (Alexander 2000; and see Kenny 2018).

To the 1942 commission, the NUDW framed its input as an argument to gain parity conditions for (white) shop workers with other (white) workers: Saturday afternoon was "the official half-holiday for the workers of South Africa" except the unlucky Transvaal shop assistant: "The result is that whilst practically all the other workers in different industries and occupations are off on a Saturday afternoon, their wives, friends and relatives in shops are off on a Wednesday afternoon, and can never enjoy the half holiday together." The poor shop assistant missed the "weekend outing in the country because his or her friends leave Johannesburg on a Saturday afternoon when she is compelled to work".[10] As more industries moved to a 45-hour week, the shop worker was missing out on this improvement and the benefits it brought of leisure time with her family and friends.

It was as the labour market in the sector changed, then, with increasing numbers of white women entering employment in large chain stores, and as a national union consolidated and pushed for campaigns around a shorter working week, that arguments for restricting trading hours gained traction once again. The 1942 Commission did not accede to mandatory Saturday afternoon closing, but large city department stores voluntarily announced earlier closing times, partly framed as part of a war effort.[11]

By 1949 compulsory Saturday afternoon closing was introduced in the Transvaal Province, supported by the National Party (which had won national elections in 1948, thus ushering in apartheid, through a cross-class racial alliance), which called it a "social necessity", precisely to protect those white women workers and the idea of a white nuclear family (Kenny 2022). But already retailers began to move for extended evening hours, at each moment taken on by the NUDW along lines outlined above – the state needed to protect white women and families, and the public had plenty of time to shop as it was. At the start of the century, store trading hours legislation assisted shop workers

10 "The National Union of Distributive Workers, Johannesburg, Memorandum Requesting Saturday Afternoon Closing," *c*. 1942. AH 1494/Da 2.1; "Employees' Views on Shop Hours," *Rand Daily Mail*, October 15, 1942.

11 "Leading City Shops to Curtail Business Hours," *Rand Daily Mail*, September 18, 1942.

to argue for limits to their working hours, as in other British dominions; by the 1950s, working hours legislation, particularly protecting white workers, had in turn come to reinforce limited trading hours. Thus, when the white nationalist National Party actively expanded the legislative scaffolding of apartheid to support white working class and middle class voters to stabilise its hegemony, protections to working conditions of white shop assistants limited retail capital's most ardent proponents of laissez-faire markets. The bargain regularised shop assistants' working hours around a standard shift of 45 hours per week, which matched trading hours, including a now normal Saturday morning opening. In the 1960s, as we will see, consumers would become more critical to these debates and the union would attempt to win a five-day week in exchange for agreeing to some later trading.

## 3 The 1960s: Consumerism and the Five-Day Week

By the 1960s, Johannesburg's consumerism accelerated. In general, the economy was at an all-time high in terms of growth. Credit had been extended to white middle and working classes, and apartheid welfare, education and employment benefits supported many white residents (Grundlingh 2008). Migration to the city had increased as well (Bonner 2012; Beavon 2004). As markets expanded, retailing grew, extending new branches and sizes of current stores (Kenny 2018, 42–7). Retailers competed more aggressively, and in this context, they returned to the idea of extended trading times. In particular, later trading was seen to offer a means to enlarge markets as the public became more interested in shopping as entertainment.

Thus, in 1961 a Transvaal Provincial council member, a Mr. Ferreira, tabled a proposal to suspend the Shop Hours Ordinance to allow "all-night trading" and to abolish "uniform Saturday afternoon closing of stores".[12] The NUDW responded with a coordinated national campaign mobilising the Trade Union Council of South Africa, the Confederation of Labour, and the South African Congress of Trade Unions, with support of other organisations like the Afrikaanse Handelsinstituut, an organisation of Afrikaner smaller shopkeepers. This alliance succeeded in forcing the council member to withdraw his motion.[13]

The argument launched by the NUDW against later trading focused on three pillars: first, the 'shopping public' would be befuddled by different trading

12 "'Wishing you and your family …'". AH 1494/Da 2.1.

13 Memorandum on Shop Hours, NUDW, July 16, 1962, p. 2. AH 1494/Da 2.2.

times; second, drawing on international surveys and quoting Australian retailers, it argued that "In nearly all Western European countries, trading hours are limited by legislation to 6 pm or 7 pm daily. We believe that in all spheres of activity there must be limitations of one sort or another, even in a free enterprise system, and that uncontrolled laissez faire trading is not in the public interest".[14] Thus, it reinforced the idea of the control of the public and economy as a social good. This moral discourse corresponded well with National Party standard assumptions, and the union played off these and South African comparisons to 'the West'. But, more than market restrictions, it offered a third set of arguments, which emphasised the longstanding moral discourse of protecting white women as an aid to defending the integrity of the nation (see Kenny 2022; Hyslop 1995; du Plessis 2011; McClintock 1993). Later trading, the union argued, would have an ill "effect on home life":

> In view of the fact that employees in the distributive trade include large numbers of married women, upon whom their husbands and children rely for the maintenance of the home, the provision of meals at normal hours and other reasonable amenities of life, domestic and family life would be subjected to considerable disruption.

It concluded, "It would be tragic for family life if Commerce were to revert to the days of late closing."[15] It was the weight of this moral persuasion that convinced Ferreira that he did not have support for his proposal. Yet the NUDW was well aware that these efforts would continue, and it was proactive in thinking through what trade-offs might be worthwhile for its members.

In 1964, the NUDW began researching schemes enabling a five-day working week. This was inspired by news of the British Union of Shop, Distributive and Allied Workers (USDAW) winning this concession at Selfridges, a popular English department store. There was extensive reporting in NUDW newsletters and discussion within the union of the agreement. The Selfridges agreement stipulated its purpose was to mediate the context of a five-and-a-half day trading week in which the union USDAW sought to ensure a five-day working week for employees. It did this through maintaining Saturday afternoon off, for a rotation cycle of four weeks: week one, the employee would get all of Saturday off; week two, Monday morning and Saturday afternoon; week three, Friday

14 Memorandum of Objection on the Proposed Extension of Trading Hours, NUDW, July 9, 1962, p. 2. AH 1494/Da 2.2.

15 Memorandum of Objection on the Proposed Extension of Trading Hours, NUDW, July 9, 1962, p. 3. AH 1494/Da 2.2; and see Kenny forthcoming.

afternoon and all of Saturday; and week four, Saturday afternoon.[16] Responding to queries, USDAW replied to the NUDW that it thought that as a consequence part-time labour had increased to service the shifts when fulltime staff had its extra time off, but that turnover of fulltime staff had likely declined.[17]

The NUDW also sought out examples from nearer lands. For instance, it wrote to Barbour stores in then Salisbury, Rhodesia [Harare, Zimbabwe] when it heard tell of a similar scheme. The store director replied explaining their scheme, the 'Barbour's Five Day Week', which they viewed as a "privilege and not a right". It applied to "all European [white] members of the staff and is permitted for every complete week worked" except during the Christmas season.[18]

The NUDW received assistance from USDAW with documents to support its negotiations with major department stores in South Africa. The NUDW President wrote to the British union acknowledging receipt of a range of five-day week agreements in the Lewis Group, a British retailer, "I am most grateful to you for responding so promptly to my appeal for information. The material you have sent me will be most useful in our forthcoming discussions with the employers, in our efforts to introduce a five-day work week on the roster system as you have done".[19] Thus, the South African union actively engaged unions and retailers in other countries (and notably within British colonial networks) in seeking information.

To South African retailers it pushed the idea:

> The N.U.D.W. thinks that such a scheme is feasible in South Africa, *at least in the bigger stores* in the principal areas, and will be pleased to know whether your organisation is prepared to have exploratory discussions with representatives of the Union in this connection. I might add that the Management of Selfridge's was persuaded without much difficulty to adopt this scheme, because they were losing so many staff to other sectors of the economy which offered a five-day week.[20]

16 Agreement between Selfridges Limited and the USDAW, October 24, 1964; and see Agreements on Five-Day Working Week (various cities) between Lewis's Limited and the USDAW, 1961–1965; "Five-Day Week for London Shop Workers," *New Day*, No. 2, December 1964, p. 16; AH 1494 Da 2.6.1; Cynog-Jones, T.W., "Shop Closing Hours: USDAW Research Department enquiry," nd. AH 1494 Da2.4.

17 Letter from USDAW to Mr. J.R. Altman, September 15, 1965. AH 1494 Da 2.6.3.

18 Letter from H. M. Barbour to J. R. Altman, December 11, 1965. AH 1494 Da 2.6.3.

19 Letter from J.R. Altman to The Assistant General Secretary Union of Shop Distributive and Allied Workers, Manchester, September 29, 1965, AH 1494/Da 2.6.3.

20 Letter from J.R. Altman, to the Managing Director, Truworths (and others), September 15, 1965, AH 1494/Da 2.6.3.

Some firms indicated tentative openness to the proposal,[21] while others resisted – deferring to the larger employer's body the Commercial Employers Association.[22] Despite these initial moves by the NUDW to leverage the trends toward later shopping to gain for shop workers what they had yet to achieve, a working week in line with other (white) workers in South Africa, collectively retailers ultimately demurred. These arrangements took hold only through specific company agreement, but no wider standard was agreed upon.[23]

By 1968 the union faced the reality that more stores were remaining open later regardless:

> It is true that during the last couple of years the tendency has spread for shops situated in suburban and off-city areas to extend their business hours to the maximum permitted, but this is entirely due to the intense competition which continues to grow in this trade. The Wage Board in its report to the Minister of Labour [in February 1968] … describes the competition as 'severe'. Old established employers have told this Union time and again that the only reason for seeking to avail themselves of the maximum permitted trading hours is the entry into commerce of a large number of new competitors who, in an effort to get themselves established in the public's mind, have resorted to the expediency of staying open until 6 pm on weekdays. This has forced older established firms to follow suit, or to extend their closing times from 5 pm to 5.30 pm.[24]

Similarly, the entry of supermarkets into South African retailing also increased competition and pushed established trading norms.[25]

Within the context of the entry of new firms, new retail formats, new supermarkets (with self-service), discount retailers, expansion of suburban branches, and generally increasing competition for big stores (Kenny 2018) the lengthening of trading hours was a trend that seemed hard to ignore by the late

21 Letter from J. R. Altman to The Personnel Officer, Stuttafords & Co. Ltd., October 22, 1965; Letter from Vice President, Personnel, Greaterman's to J. R. Altman, September 27, 1965. AH 1494/Da 2.6.3.

22 Letter from Edworks, Personnel Manager to The National Secretary, NUDW, October 16, 1965; Letter from D.J. Opie, Truworths to National Secretary, NUDW, September 22, 1965. AH 1494/Da 2.6.3.

23 "Press Statement: The NUDW and the Five-Day Working Week," August 3, 1970. AH 1494/ Da 2.6.3.

24 Letter from J.R. Altman, October 18, 1968. AH 1494/ Da 2.6.3.

25 "Press Statement: The NUDW and the Five-Day Working Week," August 3, 1970. AH 1494/ Da 2.6.3.

1960s. Within this context, the Transvaal Province revised its ordinance again in 1968. The amended ordinance enabled local government to alter trading times for shops in different Transvaal 'Group Areas', statutory segregated residential areas for 'racial' categories under apartheid, but keeping trading hours broadly the same for 'white' areas.[26] The NUDW continued to try to push for a five-day week, accepting the principle of staggered shifts.[27]

Debate provoked from the revision of the ordinance was serious enough, though, that the Provincial Council established a Commission of Inquiry in April 1968 to further investigate the full scope of the issue of trading hours. The union submitted its response to the Commission of Inquiry in which it indicated the "extremely strong feelings of the distributive workers" against extending trading hours, warning of "a first class crisis in labour relations" if amendments passed.[28] Thus, preliminary experimentation on extended trading was permitted in segregated areas, while the Commission of Inquiry was to investigate its impact on the 'white' towns and suburbs. Nominally the argument for extended trading in areas in which blacks lived was linked to their longer transport time to return home from work in city centres. The union, however, understood such measures also to be the 'short end of the wedge' for driving practices that could spread throughout the sector.

The Commission released its report in May 1970.[29] The early 1970s then marked a particularly important moment for the reformulation of trading hours regulation and reveals shifts in the relations between parties and around emergent discourses central to this changing conjuncture.

## 4 The 1970s: Turning Tides and New Working Shifts for Casuals

As the release of the Commission's report drew nearer, the NUDW intensified its pressure on the Council. It sent a letter in April to the Administrator of the Transvaal Province rearticulating its detailed argument against extended hours. It listed its key issues. Extended trading "must inevitably entail the use of the staggered shifts for the regular employees, as well as the employment of additional part-time and casual staff," but this would "lead to the employment

26 Letter from J.H. Altman to Dear Friend, June 12, 1969, AH 1494/Da 14.2.7.

27 "Union and bosses oppose longer hours," *Rand Daily Mail*, September 18, 1968, p. 6.

28 Letter from J. R. Altman, General Secretary to The Hon. the Administrator, Transvaal Provincial Administration, May 16, 1969, p. 1. AH 1494 Da 14.2.7.

29 Letter from M. Kagan to The Hon. The Administrator, Transvaal Province, April 19, 1971. AH 1494 Da 14.2.7.

of a larger labour force with considerably greater labour costs" and would lead to inflation.[30] Furthermore, extended trading would "undoubtedly lead to *night work for women*", underlining this critical point. Labour legislation prohibited work after 6.30 p.m. only for women under the age of eighteen years, but the union again argued that given the "vast majority of shop assistants are women, 70% of whom are married with family responsibilities", women's later evening work was "both socially and sociologically undesirable" because "Mothers will be kept away from their children at the worst possible time of day, namely, between the hours of 6 p.m. and 10 p.m. the crucial period during which children need their mothers' attention more than at any other time of the day".[31] Notwithstanding the widespread employment of black women as domestic workers for white families in South Africa (Cock 1980), the moral significance of having white women at home continued to function as an emotive discourse.

The union also repeated its arguments about 'night shopping' which would require changes to the way the city operated with other employees affected, including transport (bus and train) workers, bank clerks, hairdressers, dry cleaners, dairies, butchers, merchant tailors, opticians, repair and valet services, truck drivers and traffic and ordinary police.[32] It specifically emphasised the effects on working time, citing the United States as an example of where inconvenient time was recognised and shop assistants paid a premium wage. It explained, "the employees will be required to work far more *inconvenient* hours. There is a big difference between a 7 ½ hour work day from 8.30 a.m. to 5 p.m. and one from, say, 11.30 a.m. to 8 p.m". Following this logic, it argued that shift work would entail more hours of work, later times returning home, "less sleep for the night-workers, and consequently more fatigue".[33]

The Commission upheld the existing trading hours for white towns, and focused on recommending Sunday trading for 'cafes' (convenience shops) from 7:00 a.m. to 10:00 a.m. The NUDW was pleased with the Commission of Inquiry's report, as one official wrote to another, "we had expected to be a darn side worse!"[34] Thus in 1970, it felt the Commission had supported its argument

30 Letter from J.H. Altman to the Hon. The Administrator, Transvaal Province, April 19, 1970, p. 2, AH 1494/Da 14.2.7.

31 Letter from J.H. Altman to the Hon. The Administrator, Transvaal Province, April 19, 1970, p. 2, AH 1494/Da 14.2.7.

32 Letter from J.H. Altman to the Hon. The Administrator, Transvaal Province, April 19, 1970, p. 2–3, AH 1494/Da 14.2.7.

33 Letter from J.H. Altman to the Hon. The Administrator, Transvaal Province, April 19, 1970, p. 3, AH 1494/Da 14.2.7, emphasis in the original.

34 Memo from M. Kagan to R. Altman, May 28, 1970. AH 1494 Da 14.2.7.

to keep trading hours as they were, but this was the cusp of major changes to come.

Indeed, the Commission report portended further changes. For instance, it recommended two categories of shops, "rural shops" in "rural White areas" situated outside of major towns and shops in "Non-White Areas", be allowed to stay open until 9:00 p.m. The union opposed both of these extensions.[35]

In this period, the NUDW was also negotiating with specific employers to try to win some of its demands in the context of giving some ground on trading hours. In 1970 OK Bazaars, a major chain department store, proposed a scheme to introduce two shifts to include a voluntary Monday to Friday shift, at reduced wages. NUDW understood that OK Bazaars acceded to a five-day working week because of future interest in extended trading hours.[36] The company and the union agreed to the new shifts that would allow some workers to move to a five-day week in late December 1970, with the announcement reading: "with an eye to the desirable improvement in the recruitment of staff generally, the OK Bazaars has now decided to offer employment on a Monday to Friday basis, to prospective as well as existing employees. The management is hopeful of getting sufficient applicants on this basis to fill between 60% to 70% of all positions. On Saturday mornings their places will be filled by the casual hands".[37]

By 1971 the OK Bazaars scheme was already deemed "very unpopular, and stands a chance of being a complete flop" because workers lost pay with their reduced shifts, said one NUDW official. He continued, "For this reason I now feel that it is important to go ahead with new proposals as soon as possible".[38]

In another example, in 1971 the NUDW wrote to a Member of Provincial Council, querying a committee of which he was chairperson, "whose aim is to bring about staggered working hours in Johannesburg". The union official made clear that the NUDW and the NUCAWU (the "sister union" of the NUDW which "represents Coloured and Asiatic workers in the commercial distributive trade") were "against any scheme which will result in women workers arriving home from work 'later than at present'". He added "however, that the Trade Unions do not object to the staggering of workings hours as such, provided that a certain basic condition is observed. We regret very much that any system of staggering which would involve shops remaining open later than 5 p.m. on

35 Letter from M. Kagan to The Hon. The Administrator, Transvaal Province, April 19, 1971. AH 1494 Da 14.2.7.

36 Memo from Kagan to Altman, December 17, 1970. AH 1994/Da 2.6.4.

37 "Press Release: OK Bazaars to Introduce 5-day Week," AH 1994/Da 2.6.4.

38 Memo from Altman to Kagan, "5 day working week," January 26, 1971, AH 1994/Da 2.6.4.

Mondays to Thursdays, 5.30 p.m. on Fridays, and 1 p.m. on Saturdays, would not only be resisted most strenuously by the Unions, but would lead to unrest among the shop and store workers on a very considerable scale." It rehearsed its argument about women workers, including importantly its Indian and coloured members, being required at home for domestic duties.[39]

The terrain had shifted, then, to acknowledge that trading hours were becoming delinked from working hours. The only way to negotiate better conditions for its workers was to begin to accept differentiated shifts that had until this period not been used widely, except to hire supplemental 'casuals' during month end or December (Kenny 2018). The principle of staggered working time had thus been accepted as the solution to extended trading hours.

The NUDW argued for its black women members in NUCAW as well, but there was a prevarication on the assumptions of conditions that the different work forces might bear. White women were clearly the key gendered labour market, which the union rhetorically and practically protected. Discursively, this had been effective, as we have seen, because the imaginary of white women returning late at home worked to sway politicians. Unlike in manufacturing, where there was what sociologists called an 'upward floating colour-bar' in which white workers moved up the hierarchy as black workers moved into deskilled jobs (Webster 1985), in retailing, black women (initially in the Transvaal, Indian and coloured, and then African) entered the same jobs as white women from the late 1960s, but often were paid unqualified pay rates or were sometimes hired as general workers but assigned the labour of higher grade service workers. They were often subject to lower benefits, such as pensions or sick leave, and had less favourable informal conditions offered to them, like transport assistance (Kenny 2018, 63–71). Thus, in relation to pressures to extend hours, one union official warned, there would be a further "worsening of the already bad labour supply in the Commercial Distributive Trade. The experience of all industries that observe late hours of work has been that *even* Non-White labour has been difficult to come by," and he made an example of the hotel and catering trades which employed a larger percentage of black workers, which had "been facing staff shortages for very many years, because of extremely unattractive working hours".[40] While the NUDW signaled that a presumption that black workers would be available to serve in these shifts might be misplaced, it also named the logic ('even Non-White labour'), that black workers could more easily be used to staff late shifts.

39 Letter to J. F. Oberholzer from M. Kagan, May 13, 1971, p. 1. AH1494 Da 14.2.7.

40 Letter to J. F. Oberholzer from M. Kagan, May 13, 1971, p. 2. AH1494 Da 14.2.7, my emphasis.

By late 1971, the issue of trading hours was becoming a national discussion when coordination of the four provincial ordinances was raised.[41] Within the Transvaal Provincial Council, opposition party members had "made it a political issue",[42] attacking earlier closing as an example of the conservatism of the National Party. Thus the United Party called the "Nationalist-controlled Transvaal Executive Committee" "'completely out of date' in its attitude to the problems and needs of modern city dwellers. … They appear to be opposed to progress and development and are unsympathetic towards the growing public demand for more convenient shopping hours". The opposition was careful not to speak against its white labour supporters: "The last thing the UP wanted was to see [workers in the distributive trade] working longer hours and enduring more onerous conditions." Thus, its proposed solution to the extension of working hours was the increasingly common out: "We believe the answer may lie in a system of staggered hours, or else in the employment of so-called moonlighters – provided these part-timer workers are not permitted to undercut full-time employees.'"[43] The benefits of 'modern' shopping time would be traded off against not the working time of a core workforce but the time of contingent workers or black workers, who had pressing economic reasons not to resist such shifts (see Kenny 2018, 100). The discourse here counter-posed the conservatism of the National Party, limiting free market exchange and the pleasure and conviviality of the leisure activity of shopping, against the norm of the standard working shift of white shop assistants. This contradiction would have to be resolved by hiring others into such shifts.

Further, the debate in late 1971 suggests how retail capital interests had diversified. The historical big chain stores that built up relations within the provincial and municipal structures and, indeed, with the union, confronted new capital entrants, such as discount retailers and supermarkets, including global capital moving into retailing. The NUDW noted with concern that "there has been a tremendous increase in the campaign here in Johannesburg and pressure for the introduction of moonlight shopping." This campaign came from many sides, including upstart discount retailers like Tony Factor, and garnered political support from the opposition party that the union had always successfully lobbied: "One of the disquieting features is the fact that the United Party has now climbed on the bandwagon of the protagonists of moonlight

41 Letter from M. Kagan to Ray Altman, November 1, 1971, AH 1494 Da 14.2.7.

42 Memo from M. Kagan to Ray Altman, "Campaign for Night Shopping: Symposium on Shop Hours," December 10, 1971, AH 1494 Da 14.2.7.

43 "Bid for later shopping," *The Star*, December 2, 1971, p. 5, AH 1494 Da 14.2.7.

shopping".[44] Newly termed "night shopping hours" and "moonlight shopping" came into the language of the debate signaling the shift in the public's imagination.[45]

Almost in response to the loss of control over the process, the 'status quo' was ultimately upheld in this moment, with the key organisations the Association of Chambers of Commerce of South Africa, the Afrikaanse Handelsinstituut, the Associated Commercial Employers of South Africa, NUDW, NUCAW, the Trade Union Council and Confederation of Labour and the Johannesburg Chamber of Commerce agreeing to change little for the time being.[46] The union effort to negotiate within forums setting regulatory frameworks as well as with the large retailers had worked for many decades. The close relationship between NUDW officials and the owners of department stores showed that lobbying worked. As one major department store owner wrote to the NUDW official Morris Kagan: "Dear Morrie. … I would like to congratulate you on the way you have marshaled the facts and revealed how widespread are the potential effects of late night openings. I think you are aware of the fact that personally I am not in favour of generalised night openings" but even this close ally began to wonder whether some later trading was beginning to make sense.[47]

The union started to strategise around its 'New Policy on Shopping Hours'.[48] The union's Transvaal leadership agreed to put forward a uniform national 7:00 pm closing time for the whole country (against employers' enduring push for a 9:00 pm closing time) in exchange for a "quid pro quo" of "mere essentials" including "premium rates" for later times, "all to close on Mondays to 1 p.m.", "Easter Saturday and 2nd Jan compulsory closing days", "female employees *not* to be *compelled* to work any overtime (but to be allowed to volunteer)", "existing female staff *not* to be *compelled* to accept later finishing times than at present and the actual working hours presently worked by them *not* to be increased, even if they do not work the maximum 8 hours per day or 48 hrs p. week presently allowed by law". He pointed out that this new pared down set of demands "leaves out" several important issues such as the "5-day week", although this demand he explained was reformulated in the Monday morning

44 Memo from M. Kagan to Ray Altman, "Campaign for Night Shopping: Symposium on Shop Hours," December 10, 1971; "Friday Nights May be After-Dark Shopping Time," *The Star*, December 8, 1971, p. 5, AH 1494 Da 14.2.7.

45 "A 'shift' on shop hours," *The Star*, December 9, 1971, p. 3, AH 1494 Da 14.2.7.

46 Letter from M. Kagan to H.J. van der Merwe, Executive Director, JCOC, December 13, 1971. AH 1494 Da 14.2.7.

47 Letter from N. Herber to M. Kagan, August 12, 1971, AH 1494 Da 14.2.7.

48 Memo from M. Kagan to R. Altman, November 3, 1971, AH 1494 Da 14.2.7.

closing formulation. The reduced demands, he explained, made "us look less unreasonable".[49]

In early 1972, the parties met again to negotiate an agreement to what would become the amendment to the Provincial Ordinance and adopted unanimously the resolution:

> This meeting of representatives … gave serious consideration to the possibility and desirability of greater flexibility in shopping hours, more particularly late trading up to 9 p.m. on one night per week in the Transvaal, as an experiment. The meeting concluded that while greater flexibility might appear to be desirable, the time is not ripe for any experimental change in the Provincial Shop Hours Ordinance, having regard to the present economic climate of the Republic and factors relating to the current labour situation. The matter will however be kept under review.[50]

The NUDW noted that it was not everything it had hoped for, but reported that "the members of my Union were prepared, albeit reluctantly, to support an extension of shopping hours to 7 p.m. on Fridays provided that they could get a reasonable quid pro quo from the Employers, support for the closure of all shops on Easter Saturday and Second January, and the introduction of a five-day *working* week (without however reducing the existing trading times on Saturdays). Some of the protagonists of night shopping appear not to have realized until this was pointed out to them by my Union, that an extension of shopping hours would lead to considerably increased costs in the running of a shop, thus adding still further to the existing inflationary trends in our economy."

The outcome of the several-years process was the "maintenance of the status quo".[51] The union refocused its campaign on the outstanding issues of Easter Saturday and the second of January closures.[52] While for the remainder of the 1970s, the legislated limits held, there continued to be efforts to

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49 Letter from Morris Kagan to Ray Altman, January 28, 1972 , AH 1494 Da 14.2.7, emphases in original.

50 Letter from M. Kagan to Mr. K.S. de Haas, M.E.C., Pretoria, February 29, 1972, AH 1494 Da 14.2.7.

51 Letter from M. Kagan to Mr. K.S. de Haas, M.E.C., Pretoria, February 29, 1972, AH 1494 Da 14.2.7.

52 Letter from President to Mr. D.H. M. Gibson, M.P.C., Johannesburg, June 9, 1972; Letter from President to Mr. Harry Schwarz, M.P.C., Johannesburg, June 9, 1972; Memo from M. Kagan to Miss D.M. Harwell, Mrs. J. Barnard, Mrs. J. Wheeler, July 18, 1972, AH 1494 Da 14.2.7.

extend them against which the union retraced its previous arguments.[53] By the mid-1970s, African workers increasingly came to be employed as service workers in the sector, and in 1975, the Commercial Catering and Allied Workers Union (CCAWUSA), a union of black shop workers organised militantly to protect its members in a context of worsening economic conditions (Kenny 2018).

## 5 The 1980s: 'Flexibility' and Working Hours Variations

By 1980, the back and forth between sides of the debate had intensified, now focused around the "flexibility" of hours: "The action taking place in the lobbies in which interested parties are either pressing for flexible trading hours, the right to open shops whenever the proprietors like – Sundays excluded – as long as they don't exceed 61 hours a week, or for a rigid maintenance of the status quo. The weight of evidence seems to favour the protagonists of flexibility, but there is a powerful lobby of conservatives who scowl on change merely because it means change".[54] Friday evenings and Saturday afternoons were the key periods. And yet, even from this proponent of longer trading times, some idea of a trade-off held sway: "This would mean [employers] must help their workers to get home in the dark, bearing in mind the inadequacy of public transport in the off-peak periods." In the context of increased use of casual labour, the idea of staffing these times became easier to imagine, as well: "Flexible working hours for the staff could be tricky, but no more difficult than they are today when most shops take on extra staff to cope with the weekend rush, and in the case of Checkers, Sunday and public holiday trading".[55]

By 1981 the Province had "reopened the prickly issue of more flexible shopping hours in the Transvaal." Arguments focused on "inflexible legislation" and the "detrimental effect" it had "on productivity". All day Saturday shopping and some time on Sunday was proposed by the Competition Board in support of retailers' business.[56] And, indeed, by the mid 1980s, the Shop Hours Ordinance looked likely to be amended for "more flexible shopping hours" in some busy nighttime areas of the city. The main obstacle to changing the regulation was

53 "Unions will fight longer shop hours," *Rand Daily Mail*, October 25, 1974, p. 13.

54 Harold Fridjhon, 'On Monday' column, "Shopping hours – the time bomb ticks away," *Rand Daily Mail*, September 15, 1980, p. 10.

55 Harold Fridjhon, 'On Monday' column, "Shopping hours – the time bomb ticks away," *Rand Daily Mail*, September 15, 1980, p. 10.

56 "Transvaal shop hours may change," *Rand Daily Mail*, September 30, 1981, p. 4.

"a brick wall of Nationalist indifference". Again, the opposition hoped to "relax hours". It was noted that the Johannesburg Chamber of Commerce "had campaigned for the past eight years for more flexible shop hours. Small concessions were made last year when shops were allowed to stay open until 5 pm on the two Saturdays before Christmas."[57] Thus, changes began to occur by the mid 1980s, slowly, but in line with the longer trend identified in this paper. The language had shifted once more from evening shopping to 'flexible hours', befitting the discourses of flexibility that can be identified in policy debates from the late 1980s (Bezuidenhout and Kenny 1999). Here we see this global discourse entering into the longer debate on trading hours.

By the 1980s the bulk of the service workforce in retailing was composed of black workers. These workers organised within their independent union to maintain a standard shift for their workers, but against increasing pressure from economic recession that threatened retrenchments and job loss. By the 1990s, 'flexibility-mobility' agreements were beginning to be negotiated with major firms to trade off job security of full-time 'permanent' staff against the use of casual labour in extended shifts. The use of 'casual' labour in retailing in South Africa, then, began really to increase in the late 1980s as store trading hours became finally deregulated with the scheduling of these workers in the 'unsocial' times (Kenny 2018).

## 6 Conclusion

In South Africa, trading hours were regulated through provincial ordinance. Over the key decades of the 1960s to the 1970s, the National Union of Distributive Workers (NUDW) tried to negotiate specific deals for differentiated shifts that would have agreed to extended trading hours in an effort to win a five-day working week for its core membership. The period tracked in this paper coincided with changes in the labour market moving from white women to black women in service jobs. The struggles around working and trading hours took up gendered and racialised discourses.

This very specific historical context in Johannesburg, South Africa, offers a critical reading of global labour processes – by explicitly examining localised debates around what eventually came known as working time flexibility. The paper, then, argues for the temporal and spatial co-constitution of retail labour processes across contexts. Practices often seen as germinating with

57 Reilly, Gerald, "Hillbrow shopping: new turn," *Rand Daily Mail*, April 11, 1985, p. 3.

northern firms and moving (via 'globalisation') to the South, in fact, were being discussed, contested and put into practice simultaneously through concrete relations in place (see Massey 1994; Hart 2018) as global transnational practices circulated. The paper contends that definitive features of retail labour processes, specifically working time arrangements bound into precarianisation, can productively be theorised as co-constituted in longer historical conjunctures in ways that assist us to explain later dynamics reinforcing the centrality of working time to the retail labour process.

In Johannesburg, the extension of trading time was negotiated through bargaining off the working time of women workers. First and for many decades, the working time of white women became worthy of protection – to reinforce nuclear households and gender and race relations. Then, the working time of black women (Indian and coloured) was tentatively but secondarily defended and then given up as the labour market shifted. In the end, the time of new entrants, who were more likely to be African women and 'casual' workers, was bargained against the standard shift of a new core membership. These practices were sedimented over several decades of various union battles at the same time that the relations of force in Johannesburg shifted to support consumers and retailers. The losers were the black women workers, and then (mostly black) casual workers, those who would enter the most unsocial shifts as these expanded from the 1990s.

This bargain would define retail workers' particular conditions – defined so centrally through labour time – into the present. It would affect the union's bargaining strategies into the post-apartheid period, as it worked to defend and protect its core membership of fulltime employees against an expanding workforce of 'casuals' in the 1990s. Even though both segments of the labour market were by this time black working class women and men from the same residential areas (and sometimes same households), divisions of labour deepened. The association of casual labour as extra-ordinary and thus more available to work unsocial shifts conditioned the union's inability to protect these workers, and by consequence affected its membership levels and longer-term collective power in retail workplaces (Kenny 2018). Working time became a definitive terrain of retail workers' resistance in the post-apartheid period, fighting either to defend the standard shift of the still standard 45-hour week, or over time to bargain for minimum monthly hours as flexible shifts reduced casual (and later 'parttime') workers' hours even while extending working time into the evenings, as well as all day on Saturdays and Sundays (Kenny 2018). The history of battles around store trading hours as a measure of working hours presented here tracks the longer conjunctural shifts that constituted these specific racialised and gendered meanings and relations to explain today's enduring

precariousness around working time. This history from Johannesburg suggests how conditions of precariousness in the sector imbricated across time and space, not merely moving to South Africa with neoliberalism.

## References

Alexander, Peter. 2000. *Workers, War and the Origins of Apartheid: Labour and Politics in South Africa, 1939–48*. Oxford: Ohio University Press.

Allison, Anne. 2013. *Precarious Japan*. Durham & London: Duke University Press. Arendt, Hannah. 1958. *The Human Condition*. Chicago: The University of Chicago Press.

Bank Muñoz, Carolina, Bridget Kenny and Antonio Stecher, eds. 2018. *Walmart in the Global South: Workplace Culture, Labor Politics and Supply Chains*. Austin: University of Texas Press.

Bastian, Peter and Victor Quayle. 2016. "An Ambivalent Relationship: Thomas Caddy, the Drapers' Association and the Sydney Trades and Labor Council's Forgotten Cooperation over Early Closing." *Labour History* 110 (May): 19–33.

Beavon, Keith. 2004. *Johannesburg: The Making and Shaping of the City*. Pretoria: UNISA Press.

Bezuidenhout, Andries and Bridget Kenny. 1999. "The Language of Flexibility and the Flexibility of Language: Post-Apartheid South African Labour Market Debates". Unpublished paper presented to the Sociology of Work Unit's (SWOP) Research Seminar Breakfast Series, November 12, University of the Witwatersrand, Johannesburg, South Africa.

Bonner, P. 2012. "South African society and culture, 1910–1948." In *Cambridge History of South Africa, Volume 2, 1885–1994*, edited by R. Ross, A. K. Mager, and B. Nasson, 263–74. Cambridge: Cambridge University Press.

Boris, Eileen. 2019. *Making the Woman Worker: Precarious Labor and the Fight for Global Standards, 1919–2019*. New York: Oxford University Press.

Bowden, Bradley. 2009. "'Harmony … between the Employer and Employed': Employer Support for Union Formation in Brisbane, 1857–90." *Labour History* 97 (Nov): 105–22.

Braga, Ruy. 2016. "On Standing's A Precariat Charter: Confronting the Precaritisation of Labour in Brazil and Portugal." *Global Labour Journal* 7(2): 148–159.

Breman, Jan, and Marcel van der Linden. 2014. "Informalizing the Economy: The Return of the Social Question at a Global Level." *Development and Change* 45: 920–940.

Carré, Françoise and Chris Tilly. 2017. *Where Bad Jobs are Better: Retail Jobs across Countries and Companies*. New York: Russell Sage.

Chanock, Martin. 2004. "South Africa, 1841–1924: Race, Contract, and Coercion." In *Masters, Servants, and Magistrates in Britain and the Empire, 1562–1955*, edited by

Douglas Hay and Paul Craven, 338–364. Chapel Hill: University of North Carolina Press.

Clarke, John. 2014. "Conjunctures, crises, and cultures: Valuing Stuart Hall." *Focaal* 70: 113–22.

Cock, Jacklyn. 1980. *Maids and Madams: Domestic Workers Under Apartheid*. Johannesburg: Ravan Press.

Costa, Dora L. 2000. "Hours of Work and the Fair Labor Standards Act: A Study of Retail and Wholesale Trade, 1938–1950." *Industrial and Labor Relations Review* 53 (4): 648–664.

du Plessis, Irma. 2011. "Nation, Family, Intimacy: The Domain of the Domestic in the Social Imaginary." *South African Review of Sociology* 42 (2): 45–65

Estey, Marten. 1972. "Early Closing: Employer-Organized Origin of the Retail Labor Movement." *Labor History* 13(4): 560–570.

Grundlingh, Albert. 2008. "'Are We Afrikaners Getting Too Rich?' Cornucopia and Change in Afrikanerdom in the 1960s." *Journal of Historical Sociology* 21 (2&3): 143–165.

Hall, Stuart. 1980. "Race, Articulation and Societies Structured in Dominance." In *Sociological Theories: Race and Colonialism*, edited by Mary O'Callaghan, 305–345. Paris: UNESCO.

Hammer, Anita. 2019. "Comparative Capitalism and Emerging Economies: Formal-Informal Economy Interlockages and Implications for Institutional Analysis." *Review of International Political Economy* 26(2): 337–60.

Hart, Gillian. 2018. "Relational Comparison Revisited: Marxist Postcolonial Geographies in Practice." *Progress in Human Geography* 42(3): 371–94.

Hyslop, Jonathan. 1995. "White Working-Class Women and the Invention of Apartheid: 'Purified' Afrikaner Nationalist Agitation for Legislation against 'Mixed' Marriages, 1934–9." *Journal of African History* 36 (1): 57–81.

Hyslop, Jonathan. 1999. "The Imperial Working Class Makes Itself 'White': White Labourism in Britain, Australia, and South Africa Before the First World War." *Journal of Historical Sociology* 12 (4): 398–421.

Kalleberg, Arne. 2013. *Good Jobs, Bad Jobs: The Rise of Polarized and Precarious Employment Systems in the United States, 1970s-2000s.* New York: Russell Sage Foundation.

Kennedy, Ann-Marie. 2010. "The History of New Zealand Shop Trading Hours." *International Journal of Retail & Distribution Management* 38 (8): 625–640.

Kenny, Bridget. 2016. "The Regime of Contract in South African Retailing: A history of race, gender and skill in precarious labor." *International Labor and Working-Class History* 89 (Spring): 20–39.

Kenny, Bridget. 2018. *Retail Worker Politics, Race and Consumption in South Africa: Shelved in the Service Economy*. Basingstoke: Palgrave Macmillan.

Kenny, Bridget. 2022. "'Threatening Our Home Life': Shop Hours and White Women Retail Workers' Struggles Around Evening Hours in Johannesburg, South Africa,

1908–1960s." In *Working At Night: The Temporal Organisation of Labour Across Political and Economic Regimes*, edited by Ger Duijzings and Lucie Dusková, 163–196. Berlin: De Gruyter.

Luce, Stephanie. 2013. *Global Retail Report*. UNI Global Union. http://blogs. uniglobalunion.org/commerce/wp-content/uploads/sites/7/2013/10/ Global-Retail-Report-EN .pdf

Massey, Doreen. 1994. *Space, Place, and Gender*. Minneapolis: University of Minnesota Press.

McClintock, Anne. 1993. "Family Feuds: Gender, Nationalism and the Family." *Feminist Review* 44: 61–80.

Quinlan, Michael and Miles Goodwin. 2005. "Combating the Tyranny of Flexibility: Shop Assistants and the Struggle to Regulate Closing Hours in the Australian Colony of Victoria, 1880–1900." *Social History* 30 (3): 342–365.

Quinlan, Michael, Margaret Gardner and Peter Akers. 2005. "A Failure of Voluntarism: Shop Assistants and the Struggle to Restrict Trading Hours in the Colony of Victoria, 1850–85." *Labour History* 88 (May): 165–182.

Roberts, Evan. 2002. "Gender in Store: Salespeople's Working Hours and Union Organisation in New Zealand and the United States, 1930–60." *Labour History*, 83 (Nov): 107–130.

Scully, Ben. 2016. "Precarity North and South: A Southern Critique of Guy Standing." *Global Labour Journal* 7(2): 160–173.

Standing, Guy. 2011. *The Precariat: The New Dangerous Class*. London & New York: Bloomsbury.

Vosko, Leah. 2010. *Managing the Margins: Gender, Citizenship, and the International Regulation of Precarious Employment*. Oxford, UK: Oxford University Press.

Webster, Edward. 1985. *Cast in a Racial Mould: Labour Process and Trade Unionism in the Foundries*. Johannesburg: Ravan Press.

CHAPTER 4

# Informal Work and Intersectionality: Understanding Worker's Exclusion in Two Tanzanian Sectors

*Ilona Steiler*

## 1 Introduction

Informality of work and insufficient protection of workers are commonly seen as a matter of weak or ineffective regulatory frameworks. This view, however, falls short of capturing the heterogeneity found in informal employment and the complex reasons by which workers are excluded from regulatory frameworks. I suggest that paying attention to intersecting social categories, such as race/ethnicity, gender, age, marital status and education and skill levels, offers a more nuanced and better understanding of how workers and work relations become positioned on the continuum from informal to formal work. This theoretical argument is illustrated by empirical observations from ethnographic research in the dissimilar sectors of street vending and domestic work in Tanzania. In both sectors, labour regulation reflects and interacts with multiple and overlapping social categories, which are further intertwined with the historical development, spatial organization of work as well as with class relations.

The debate on the informal economy, estimated to provide employment for more than 60 per cent of the global workforce, has departed from its erstwhile strongly dualist conceptions. It is by now widely accepted that the informal economy is highly heterogeneous, comprising a multiplicity of sectors, employment relations and diverse groups (e.g. Guha-Kasnobis et al. 2006; Chen 2012). The informal economy has also been shown to be interconnected with, rather than separate from, institutions of the formal economy and of the state (Hammer 2019; Harris-White 2020).

However, despite the recognition of heterogeneity within the informal economy and of its complex connections with the formal economy, the exclusion of certain forms of employment and certain groups of workers from regulatory frameworks remains largely understood in general and single categories. The International Labour Organization (ILO) defines the informal economy as comprising of economic units and activities which are, in law or in practice, not or only insufficiently covered by legal and regulatory frameworks

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(ILO 2002a; b, 2013). Workers in the informal economy are generally characterized by low incomes, a high degree of vulnerability and decent work deficits, while specific groups, for instance women and low-skilled workers, are considered as particularly disadvantaged (ibid.). Other recent research is drawing attention to specific regions and sectors in which informal work is prevalent (Chen and Carré 2020). These categories are too broad to capture the intricate ways in which some sectors, types of employment and groups of workers are excluded from legal and social protection. More specifically, they cannot account for how and why some workers are more vulnerable than others in the same or similar context. In light of the prevalence of informal labour, not only in economies of the global South but increasingly also in the global North, a more nuanced understanding of the complex reasons rendering workers and employment relations informal and unprotected is needed.

In this paper, I make both a theoretical and empirical contribution to a growing body of literature which emphasizes the heterogeneity of the informal economy, its interconnections with the formal economy and, importantly, its dynamic and socially constructed rather than static and pre-given character. Theoretically, I suggest viewing informality of work as dynamically constituted by multiple intersecting factors. Intersectionality as an analytical tool offers a deeper understanding of the varying extent to which informal economy workers are excluded from regulatory and protective frameworks. Capturing multiple categories of exclusion which affect workers simultaneously is particularly relevant when addressing the situation of disadvantaged groups of workers, for instance, those in the global South, as legal frameworks are often biased in favour of more privileged social groups (see e.g. Crenshaw 1989, 1994). Traditional instruments of labour regulation, along with mainstream conceptions of informal employment, are based on the norm of standard employment and state regulation which rarely reflects the situation and experiences of workers in diverse contexts in the global South. Sensitivity to the multiple and intersecting categories is key to assessing the shortcomings of labour protection and facilitating inclusion of diverse groups of workers.

I underpin the argument for intersectionality by an empirical observation of the two dissimilar and typically informal sectors of street vending and domestic work in Tanzania. The juxtaposition of their differences and commonalities indicates that the informality of street vending and of domestic work is not only a matter of legal coverage. Rather, regulation reflects and interacts with specific constellations of the categories of ethnicity/race, gender, age and marital status, education and skill level as well as of class. Informality of work in the two dissimilar sectors needs to be understood as resulting from the complex interplay of these categories with law, their historical development in

Tanzania, the spatial organization of work and workers' visibility, and struggles over social status and power relations based on class.

The findings presented in this paper are based on six months of intermittent fieldwork in Dar es Salaam, the largest city and economic hub of Tanzania, in 2014/15 as well as on a review of primary and secondary sources. I conducted semi-structured interviews, including four focus group interviews, with nine female and 24 male street vendors, two male and ten female domestic workers as well as with two female employers of domestic workers, all between 16 and 55 years of age. In addition, I draw on participant observation of street vendors' and domestic workers' interactions with public authorities, customers and employers, as well as of their access to public space, recognition and protection.

The argument in the paper is structured as follows: In the next section, I review the state of the art in research on the informal economy which highlights connections and continuities rather than dualism. The third section discusses how our understanding of informal work benefits from introducing intersectionality as an analytical lens. In the fourth section, I empirically show the intersectionality of informal work by demonstrating the relevance of the categories of race/ethnicity, gender, age and family status, education and skill level in street vending and domestic work. The section focuses on legislation, colonial and post-colonial trajectories, workers' visibility and class relations in the two sectors. The final section sums up the relevance of intersectional analysis for labour studies.

## 2 Informal Employment: Beyond Dualist and Single Categories

Since Keith Hart coined the term 'informal sector' in a seminal study on the working poor in Ghana almost half a century ago (Hart 1973), the vast bulk of research literature has framed non-standard and non-regulated forms of work in clear-cut and somewhat dualist categories in at least three regards: firstly, the informal economy has long been portrayed as a distinct sector for unregistered and unregulated enterprises (ILO 1991). Although the definition was replaced to comprise enterprises and activities under the term informal economy, different theoretical approaches continue to presume predominant types of economic structures, units and employment by which it is characterized: depending on the analytical perspective, it is presented as either a labour-intensive small-scale sector, a marginal sector, an entrepreneurial sector or a continuum of employment and work relations that is connected with the formal economy (Barnes 2010, 23ff.).

Secondly, following the lack of proven definitions and attributes of the informal economy, it is usually characterized negatively by what it is not. Variously conceptualizing the informal economy as non-formal, non-regulated, non-organized, non-taxed, non-protected, et cetera, academic and policy discourse have cast it as deviating and separate from the norm of standard forms of employment and state regulation (e.g. ILO 1991). It has been pointed out that mainstream work on the informal economy is usually based on normative assumptions of what is considered the appropriate role of the state in regulating the market (Barnes 2010; Vainio 2012). In presumption of the absence of the state, the informal economy has been portrayed as "'unstructured' and 'chaotic'" (Guha-Kasnobis et al. 2006, 16), or, in more favourable terms, as "anarchic" (White and Williams 2014).

Thirdly, the informal economy has mostly been placed within the 'developing' or 'emerging' economies of the global South or post-socialist East, as opposed to the industrialized countries of the North and West: predicting its diminishing and eventual disappearance, accounts informed by modernization theory associate the informal economy with lacking economic development, weak state institutions and low productivity (e.g. Harris and Todaro 1970; La Porta and Shleifer 2014). Proponents of neoliberal perspectives portray it as alternative to overregulation by state bureaucracies, and consider it to hold enormous potential for economic growth for developing or transitional economies (e.g., de Soto 2001). Structuralist and Marxist-oriented approaches locate it at the periphery of capitalists markets rather than in the centres (e.g. Castells and Portes 1989).

Critical engagement with these categorizations has shown them to be simplified and inaccurate. It is noteworthy that Hart's study already drew attention to the connections and complexities of informal income-generation, hinting at the links between informal and formal activities, the parallels between the working poor in Ghana and those in the United States, and the variety of forms of employment across the informal-formal divide (Hart 1973). Studies from diverse academic disciplines and research areas have demonstrated the interlinkages between the formal and informal worlds of work that often mirror unequal access to resources and power relations (Breman 1996; Chen 2007; Hammer 2019). Importantly, the growth of, and dynamics within, the informal economy are closely connected to developments in the formal economy, on the levels of national and international labour and commodity markets (Castells and Portes 1989; Carr and Chen 2001; ILO 2013).

Research has also shown that unregulated and unprotected income-generation does not only exist in the global South but in the industrialized countries as well (e.g. Mantouvalou 2012; Alexander and Reno 2012). Though it

has for a long time been treated separately, under the different labels of informality on the one hand and precarity on the other, some scholars suggest looking at unregulated work in both the global North and South through the prism of workplace insecurities (Beck 2014; Standing 2011; Siegmann and Schiphorst 2016). However, notwithstanding shared experiences of precarity among workers around the world, the literature also stresses the importance of local contexts. For instance, Breman (2013) highlights different histories of work and inequalities in power and wealth between workers in the North and South, while others (e.g. Munck 2013; Scully 2016) warn of conceptualizing precarity and labour protection in terms of Western experience without acknowledging different needs as well as unorthodox solutions and radical alternatives brought about by labour struggles in the South (ibid.; Ferguson 2015). The extent to which informal and precarious workers in the North and South present a class with a common interest is still a matter of debate (Standing 2011; Wright 2016).

Another important evolution in the literature on the informal economy is the recognition of its heterogeneity and diversity. There is growing agreement on viewing governance mechanisms and labour relations in the informal economy as continua rather than in binary terms (Guha-Kasnobis et al. 2006; Chen 2007). An analysis of the status of employment by the type/degree of economic risk involved in the job and by the type/degree of authority over the establishment or other workers reveals a broad range of employment relations in the informal economy (Chen 2017). Informal employment can be located in both formal and informal enterprises and includes self-employment, wage, casual or day labour, unpaid family labour, industrial outworkers, among others (Chen 2007). Work in the informal economy may be performed for survival or accumulation, or a combination thereof. There is further great variation in workers' age, income and education levels, location of workplace and degree of social and employment protection (ILO 2018). In its Report on Decent Work and the Informal Economy, the ILO therefore proposes that "formal and informal enterprises and workers coexist along a continuum, with decent work deficits most serious at the bottom end" (ILO 2002b, 4; emphasis omitted), and to promote decent work along the entire continuum (ibid.).

Research has further moved towards understanding the role of structural and social factors in determining employment status, income levels and coverage of protection of workers in the informal economy. Specific attention is paid to gender, as it is evident that women are overrepresented in less secure jobs with lower earnings while men are overrepresented in more secure jobs with higher incomes (Mies 1982; Breman 1996; Chen et al. 2004; Kabeer 2008; ILO 2013a, 2018). ILO Recommendation 204, concerning the transition from the formal

to the informal economy, further lists "young people, migrants, older people, indigenous and tribal peoples, persons living with HIV or affected by HIV or AIDS, persons with disabilities, domestic workers and subsistence farmers" as groups who are particularly vulnerable and affected by decent work deficits (ILO 2015, 8). In addition, it has been noted that employment relations and income strata in the informal economy may further be segmented by race, ethnicity, caste or religion, which overlap and cross-cut with the former groupings (Breman 1996; Chen 2007).

Following these important contributions, in this paper I suggest an analytical framework that elicits the position and status of workers in the informal economy as intersectionally constituted. This approach builds on an understanding of the informal economy as an analytical and heuristic category rather than an actually existing, empirically measurable entity. In this view, the informal economy presents a dynamic process rather than a fixed, clearly demarcated structure (Barnes 2010). Informality of work is further not objectively given but socially constructed, both materially and discursively: Not only does it lie in the eye of the beholder to perceive the informal economy as either "deprivation or exploitation" or "the possibility of a dramatic 'bootstrap' operation", as Hart (1973, 89) put it. Different political goals and perspectives on informal work are also reflected by legal definitions, regulation and policy interventions, which in turn shape the informal economy (Steiler 2020).

## 3 The Intersectionality of Informal Employment

The by now widely documented heterogeneity and diversity found in the informal economy, and the recognition of structural and social factors cutting across the segmentation within the informal economy, cast doubts on the utility of basing its definition on the lack of legal coverage and of state-led regulation. Instead, it appears that differences within the informal economy may at times be greater, and more significant, than those between the formal and informal economy. This directs attention to the structures and factors which render some workers, activities and economic units more informal than others. Given the close interconnections between the formal and informal economy, the questions arise how and why labour regulation includes, or excludes, certain types of workers and of work.

The framework of intersectionality offers important insights into the mismatch between the law and informal activities and into the interplay of multiple categories of exclusion which render informal economy workers vulnerable. Based on black feminist thought, the concept was most prominently

theorized in the work of Kimberlé Crenshaw (1989; 1994). A basic assumption is that law is not neutral, but embedded into social stratification and power relations. Law thus has the potential to both produce and reduce social inequalities through its material and discursive effects. Often, inequalities produced by law do not result from single oppressive categories, but from their intersections. As Crenshaw (1989, 149) famously put it, "[d]iscrimination, like traffic through an intersection, may flow in one direction, and it may flow in another. If an accident happens in any intersection, it can be caused by cars traveling from any number of directions and, sometimes, from all of them." Legal subjects may experience exclusion and discrimination because they belong to one or simultaneously to several vulnerable groups; moreover, categories such as e.g. race, gender, sexuality and class rarely affect the relation between law and legal subjects in isolation from each other but rather by overlapping in multiple ways (see also e.g. Johnson 2005).

This implies that the 'problem' of informal work derives less from being beyond the reach of, and excluded from, legal regulation, as its common definition holds; rather, legislation misses to capture the complexities of income-generation in the informal economy: the tendency and, arguably, functional necessity of law to 'compartmentalize' experiences and situations into clear-cut, 'prefabricated' categories leads to a "lack of correspondence between legal accounts of the social world and the 'real experiences' of 'real people'" (Conaghan 2009, 27; references omitted). In other words, legislation falls short of accounting for the multiple and complex factors which not simply render workers and their activities informal as opposed to formal, but intricately position them along the continuum between more and less informal employment.

Labour law particularly has a tendency to exclude large segments and groups of the labour force, as the categories for employees or workers who are eligible for its provisions are often very narrowly defined (Trebilcock 2006; Davidov et al. 2015). The ILO partially recognizes the limitations of labour legislation when noting that in the majority of countries it "applies to *workers in general*" while "in others it excludes certain categories of workers" (ILO 2013b, 29; emphasis in original). Exclusion or insufficient coverage, however, is presumed to affect specific sectors or types of employment, for instance, domestic workers, homeworkers or self-employed workers (ibid.), which, as discussed above, each present broad and heterogeneous categories. As the ILO further notes, even when informal economy workers are covered by legislation, they may be excluded in practice due to weak enforcement capacities or lack of legal awareness (ibid., 30). The ways in which informal economy workers are

excluded from regulation and protection, either in text or in practice, need to be better understood.

Johnson (2005, 29) argues that "[t]he point of intersectional analysis is to see whether or not the experiences of those located at the intersections can provide insights crucial to the construction of better theories" and, one may add, better concepts and interventions. Recognizing the intersectionality of informal work is particularly relevant when studying labour relations and workers' experiences in the global South. Labour laws, regulations and standards remain firmly biased towards the Western norm of standard employment, whereas outside of industrialized countries, non-formal and non-standard employment presents the norm (Sankaran 2011). The limits to labour regulation, however, cannot be reduced to North-South divides without obscuring differences and diversity. Nor can they be fully understood by single-issue frameworks, which have a tendency to privilege one category of discrimination and inequality at the cost of blindness towards other relevant categories. For instance, a too narrow focus on class pays insufficient attention to questions of gender (Mezzadri 2016) as well as of race and postcolonial power structures (Wilson 2012; Obeng-Odoom 2020). Theorizing policies and activism with the goal of securing better conditions in the informal economy hence must be sensitive to the multiple and intersecting forms of exclusion of workers in non-Western contexts.

This brings up the methodological issue of how and where research can locate the intersectionality of informal employment. Winker and Degele (2011) argue that intersectionality can be empirically observed on the macro, meso and micro levels as well as on the level of representation. Drawing on Harding's (1986) framework on the social construction of genders, they propose to examine intersectionality "as a system of interactions between inequality-creating social structures …, symbolic representations and identity constructions that are context-specific, topic-orientated and inextricably linked to social praxis" (Winker and Degele 2011, 54). Such an analytical framework simultaneously considers power relations on the levels of norms and institutions, lived experiences and processes of identity construction as well as cultural symbols.

Following this framework, the empirical part of this paper conceptualizes informality of employment as an outcome of the interplay of the intersecting categories of gender, age, marital status, race/ethnicity and class with the colonial and postcolonial history of street vending and domestic work in Tanzania, legislation concerning the two sectors, spatial organization of work as well as class relations.

## 4 Intersectionality in Two Informal Tanzanian Sectors

In many countries in the global South, street vending and domestic work offer entry-level jobs amidst high un- and underemployment for millions of people, particularly the young, unskilled workers and rural-urban migrants. The two sectors also provide opportunities for additional incomes to those in low-paid employment. In Tanzania, more than 75 per cent of non-agricultural employment and over 90 per cent including agricultural employment is informal (Bonnet et al. 2019). Similar to other African countries, it is estimated that street vending, together with other forms of micro-trade, provides an income to between 14 and 35 per cent of women and to between 8 and 17 per cent of men (Roever and Skinner 2016). In Dar es Salaam alone, there might be more than one million street vendors (Mramba 2015). The number of domestic workers is calculated to be close to two millions nation-wide (ILO 2016).

As elsewhere, work in the two sectors is usually informal and precarious, and street vendors and domestic workers are counted among the most marginalized groups in the informal economy. Each of the sectors provides a prime example of the definition of informality given by the ILO, according to which economic units or activities are informal either because they are excluded from the text of the law or because the law is not enforced in practice. The legislative dissimilarity between the two sectors indicates that informality of work derives not solely from the law and its enforcement alone, but from the interplay of several factors. Below I discuss how work in each sector is informal as a result of cross-cutting intersections of labour regulation with the categories of race/ethnicity, gender, age and marital status, education and skill level and class. The next subsections locate the informality of street vending and domestic work along the text and practice of law, the historical trajectories of the two sectors, the spatial organization of work and workers' visibility, and social status and power based on class.

### 4.1 *Text and Practice of Labour Protection*

Street vending in Tanzania is not explicitly regulated by labour or other laws and vendors do not enjoy legal protection. Although the right to work is enshrined in the Constitution, the extent to which this applies to the production and selling of goods and services by street vendors is not specified (Ackson 2015). Street vending is implicitly criminalized by legislation on the national and municipal level. It is rendered illegal on two accounts: firstly, street vendors operate in violation of business licensing and registration laws as well as tax laws. Legal reforms in recent years have aimed at simplifying business registration and licensing procedures but have not sufficiently considered the

specificities of street vending as micro-business without a fixed physical and postal address and as a self-help scheme of the working poor, for who compliance with the laws is too burdensome or costly (Lyons and Brown 2013). In addition, only a minority of vendors retains the authority over their business, while others depend on sharing facilities and equipment with others or are casually employed wage-workers (Steiler and Nyirenda 2021). Secondly, street vending presents a violation of national laws and municipal by-laws of the use of public land and urban space. Officially designated market space in Tanzanian cities does not suffice to accommodate the needs and vast numbers of street vendors who have to resort to trading in non-designated areas, for example, along public roads. Enforcement of the law and by-laws subjects vendors to eviction, loss of property, penalty fares or imprisonment. Importantly, street vending is tried under criminal, not civil law (Ackson 2015).

Due to their criminalization, Tanzanian street vendors face frequent harassment and loss of their livelihoods (Lyons et al. 2012; Brown et al. 2015). In 2016, President John Magufuli ordered a halt to evictions of street vendors by municipal authorities and called for nation-wide tolerance of street vending in the cities. In 2018, the government further began issuing street vendor identity cards which function as temporary licenses, entitling vendors to trade in approved urban areas and obliging them to pay fees. The number of issued identity cards, a total of 175,000 for the whole country, however still falls far behind the actual number of street vendors, and the legal status of vendors who cannot obtain an identity card remains unclear. The policies have further not yet been backed by changes in legislation. The tolerance towards street vendors thus depends on the goodwill of the government (Steiler and Nyirenda 2021) which, following Magufuli's sudden death in March 2021, is not guaranteed for the future.

By contrast, Tanzania has been a forerunner in granting domestic workers full legal protection under labour law since 2004. According to the Employment and Labour Relations Act, domestic workers enjoy the same rights as other workers, including fundamental principles and rights at work and the essential right to strike. In addition, working hours, overtime and night work, daily and weekly rest as well as maternity leave, sick leave and annual leave with pay are regulated in detail. Domestic workers are guaranteed a minimum wage which is determined by the employer's income. They are also eligible for social security benefits (URT 2004; ILO 2016). Tanzania is currently in the process of ratifying the ILO Convention on Domestic Workers (ILO 2013c).

In practice, however, the rights of domestic workers are rarely enforced. One reason is that, as a more general shortcoming of legislation regulating domestic work, the law has to balance between guaranteeing the protection of workers

with the privacy of the employer's home. The Tanzanian labour inspectorate has hence neither the mandate nor, in practice, the capacities to scrutinize the working and living conditions of domestic workers. Violation of domestic workers' rights, exploitation and abuse therefore remain widespread (ILO 2016). Other reasons for the missing protection of domestic workers in practice are lacking legal awareness of both employers and workers, the vulnerability and dependence of domestic workers on employers, and culturally embedded gender roles (ibid.). Yet these factors do not affect all domestic workers alike; the extent to which they impede the effectiveness of the law is discussed below.

### 4.2 *Historical Trajectories*

The legal and social status of both street vending and domestic work in Tanzania today needs to be seen in the context of long-standing power relations based on race/ethnicity, gender and class. During the rapid economic and social transformations during the years of German colonial rule, British administration and following Independence, a new class of wage labourers emerged. Many of the labourers came from rural peasant backgrounds and migrated to the cities to find employment (Koponen 1994; Shivji 1986). Street vendors and domestic workers were however received quite differently by the authorities.

African urban dwellers without stable, formally registered employment who attempted to make a living by producing and selling goods on the streets were perceived as a disturbance to public order. Especially male Africans were seen to present a threat to European property and the safety of European—white—women and became frequently expelled from the cities (Burton 2005). Racial and gendered stereotypes played a central role in colonial laws branding day labourers and street vendors as "idle and disorderly persons" or "rogues and vagabonds" (Shaidi 1984, 83f.). The discrimination and criminalization of the "African underclass" (Burton 2005), that is, the un- or underemployed for whom street vending was often the only available way of earning a living, continued well into post-independence Tanzania. Under the one-party rule of the socialist government, unlicensed and unregistered street vendors were considered enemies of the hard-working peasants and of the state, deported to rural villages and, at times, forced to work on plantations (Shaidi 1984). Street vending, along with other informal activities, nonetheless expanded during the economic crisis of the early 1980s and during the structural adjustment programmes imposed by international financial institutions. Market liberalization led to further loss of formal employment opportunities, compelling thousands of Tanzanian women and men of all ages to take up small-scale manufacturing and trade. Despite its role as a vital subsistence strategy and

lack of alternatives, from the perspective of the ruling class and urban administrators, street vending displayed the unproductivity and disorderliness of the urban poor (Maliyamkono and Bagachwa 1990; Tripp 1997).

The negative typecasting of street vending persists until today. Although the policy environment has changed significantly under the presidency of John Magufuli, who promoted street vending as a means to combat unemployment and to stimulate growth, many municipal administrations continue to resist and restrict street vending in their jurisdiction. Without clearly stipulated rights, vendors are still subjected to administrative arbitrariness and relocations (Nyirenda and Msoka 2019).

Paid domestic work, in contrast, presented valued and respected employment for Africans during the colonial period. Importantly, domestic servants of the European, Asian or Arab employers were mostly male. While domestic work was generally considered women's work among both the colonizers and the colonized, performing domestic chores for a wage in the rulers' home counted as skilled work to be done by men (Bujra 2000). Wages were higher and employment contracts more long-term in domestic work than in other jobs, and domestic workers were privileged to spend time amidst the foreign ruling class and business elites. The growing supply of cheap labour due to rising unemployment and rural-urban migration however led to sinking wages from the 1940s on, and employers increasingly hired inexperienced and low-skilled workers "who would perform more work for less money" (Pariser 2015, 113).

The sinking wages in domestic work were accompanied by two shifts: following Independence, a growing number of employers were African, first from the Tanzanian ruling and upper classes but gradually also from the state bureaucracy and other better-off members of Tanzanian society. At the same time, the labour force in domestic service became increasingly female. Domestic work ceased to be work done for a career and accumulation but turned into a means for 'getting by', especially for women (Bujra 2000, 33f.). Similar to street vending, the domestic work sector expanded after the economic crisis and liberalization period. Today, it is estimated that more than half of all Tanzanian households employ a domestic worker. These include mostly upper and middle class but also low-income households. About 70 to 90 per cent of household work in Tanzania is performed by female domestic workers, and roughly half of that work remains unpaid (ILO 2016).

### 4.3 *Visibility of the Workplace and of Workers*

The informality of both street vending and domestic work is often explained by the visibility of the sectors, or, the lack thereof. As one of the most visible occupations of the informal economy, street vending presents an affront to

public order in urban spaces that is often in conflicts with municipal authorities (Roever and Skinner 2016). Insufficient protection and vulnerability of domestic workers, conversely, appears to result from workers' invisibility in the private homes of their employers (e.g. Caritas 2009; OSCE 2010). Visibility or invisibility of workers in the two sectors, however, is not simply an effect of workplace characteristics but is constituted intersectionally. In other words, either on the streets or in private homes, some workers are more visible than others. In both sectors, the spatial organization of work reflects intersectionally constituted power relations.

In Dar es Salaam, street vendors can be found in all parts of the city, but large numbers of vendors are concentrated along the main roads, the commercial and business districts, urban markets as well as traffic hubs. These areas are highly frequented by customers, but competition for trading space in these attractive areas is harsh among vendors. Until 2016, these congested areas were the focus for crackdowns and evictions by the municipal auxiliary police, exposing vendors to the risk of losing their livelihoods. Under the new policy of tolerating vendors in the cities, this risk has diminished but competition among vendors has become even more severe (Steiler and Nyirenda 2021).

High visibility is central to the livelihood strategies of street vendors and many vendors compensate for their lacking access to attractive trading space with flexibility and mobility. Hawkers, called machingas in local slang, usually possess only a small stash of wares which they can sell at cheap prices. A third of the interviewed machingas did not possess their merchandise but were casually employed, selling goods for shop owners or other vendors. The mobility of machingas enables them to reach more customers, to avoid the authorities and to switch to another line of products when demand changes, but their incomes are usually lower and more unstable than those of vendors with more permanent locations. Street vendors who have established themselves in a visible location, perhaps owning a pushcart, stall or kiosk, have already accumulated some capital to invest into equipment, larger stockpiles and storage capacities. Though the vast majority of Tanzanian street vendors are affected by workplace insecurities, it transpired throughout the interviews that precariousness of work and of livelihoods was higher among the more mobile vendors who owned less working capital.

The ability of vendors to acquire a visible and stable workplace depends on a variety of intersecting factors. Firstly, gender affects access to space. Though it is estimated that, as elsewhere, more women find employment in street vending than men (Roever and Skinner 2016), prominent street vending areas in Dar es Salaam are predominantly occupied by male traders. Though there

are many exceptions to the rule, the sale of specific products, food or services follows a gendered division of labour which informally allocates specific vending spaces and vending routines to men and women. For instance, cobblers as well as newspaper, coffee and ice cream vendors, who have permanently been tolerated by the city authorities, are always male; fried sweet breakfast buns are commonly prepared by women and sold by the women themselves or by a hired, usually male, machinga.

In the interviews, female vendors explained that harassment and violence, from both competing vendors and the municipal authorities, were more difficult for women to avoid. Younger and unmarried women faced an even higher risk of harassment. Hawking was considered particularly unsafe for women and further inappropriate, since whistling, hissing and shouting, common ways for machingas to advertise their products, were considered male behaviour. Female hawkers therefore preferred to approach customers more discreetly, for example, aside from the busy roads or in beauty salons.

Age and family status affect both women and men. Being advanced in years and being married with children earns an adult respect which is however tied to the ability to provide for one's family. Hawking and casual employment, as opposed to owning a business, are activities which are performed with pride by younger vendors, whereas the low incomes and precariousness that usually come with them are shameful to older vendors. Age and family status hence overlap with expectations of upward mobility, and are reflected in vendors' access to prime trading space.

Opportunities for upward mobility are further tied to vendors' access to education and skill training as well as to starting capital. Earlier studies estimate that the vast majority (81 per cent) of Tanzanian street vendors have primary education, slightly over eight per cent have secondary and around one per cent tertiary education, while approximately 10 per cent have no schooling (Mushi 2004), and that the majority of street vendors have very low starting capital and very limited access to microfinance or other forms of borrowing (Lyons and Msoka 2007). A similar picture emerged during the interviews which also revealed that vendors who had secondary education or higher, had been able to acquire some skills and working experience, and had access to capital, for instance from other informal employment, were faring significantly better than those who did not. More successful vendors were optimistically looking forward to owning a formal business in the future, while others had little hope to proceed beyond informal, survivalist street vending. Education and access to capital are in turn heavily gendered in Tanzania, which contributes to women's lower earnings on average (Tripp 1997) and increased probability of being poor (Lyons and Msoka 2007). Similarly, Lyons and Msoka (ibid.) found that

local street vendors could use their networks to establish their business while vendors who had migrated to the city had to struggle harder.

Visibility is in the same way constituted intersectionally in the sector of domestic work. As has been demonstrated in other contexts, not all domestic workers are equally invisible to legal protection. Important differences exist between live-in and live-out domestic workers, migrants or locals, citizens and non-citizens, women and men and between non-skilled and skilled as well as unmarried and married workers. Some scholars have hence suggested considering multiple individual and workplace factors which place domestic workers along a continuum of vulnerability (Pollert and Charlwood 2009; Mattila 2011).

For Tanzania, the ILO has likewise found that a large share of live-in domestic workers, who make up 90 per cent of all domestic workers, are "hidden in very informal arrangements" (ILO 2016, 1). Again, class, gender, educational background, age and family status are significant in determining the degree of informality. The recruitment process is influenced by the background of the domestic worker and by the economic and social status of the employer: higher-income households tend to use recruitment agencies to hire skilled, live-out workers while lower-income households usually rely on kinship ties to recruit relatives, mostly girls and young women from poor rural areas, as live-in workers. The latter employment relations are difficult to distinguish from family relations, either because employers and workers are not aware of the worker's actual status and rights, because the employer knowingly deceives the worker, or because following the law is not practical for both parties (ibid.; Kiaga 2007). Contractual, live-out work arrangements are thus much more visible than live-in arrangements in kinship settings.

Although many household tasks are performed by domestic workers of both sexes, male domestic workers tend to have more tasks outside of the home, for example, safeguarding or gardening, while female workers are more often confined to tasks inside the home. During the interviews, it became clear that male live-in domestic workers were taking more actively part in urban public life than female live-in workers who rarely ventured outside their employer's home on their own. The hiddenness of domestic workers is again reinforced by their family status: the majority of domestic workers in live-in arrangements are single. Once domestic workers find a partner or spouse and start their own family, especially if they are female, the employment relationship is usually ended or transformed into a live-out arrangement. In sum, younger, female and unmarried domestic workers leave the homes of their employers more seldomly than other groups and are potentially more vulnerable to exploitation and abuse.

As with street vendors, education and skills affect the employment relations of domestic workers and their visibility. An ILO survey found that due to

high numbers of unemployment, particularly among young people, Tanzanians of all educational backgrounds were taking up domestic work. The largest groups are those with primary education (57 per cent of female and 49 per cent of male domestic workers), followed by those with lower level secondary education (16 and 13 per cent) and those with no education (26 and 5 per cent); however, close to 13 per cent of male and 3 per cent of female domestic workers have attained tertiary education (ILO 2016). The interviewed domestic workers confirmed that education, knowledge and skills offer workers broader choices on the labour market and hence decrease the dependence on their employers. Domestic workers with higher levels of education and work experience also displayed greater awareness of their rights and willingness to hold their employers accountable.

Some of the domestic workers, both male and female, who had acquired work experience as well as vocational and language skills considered moving to other jobs which offered better pay and more independence or becoming self-employed. It was interesting to note that these workers, who were all under 40 years of age, saw domestic work as just one opportunity among others to earn an income and displayed an eagerness to acquire additional skills. By contrast, older workers saw no alternative to domestic work and described the relationship with their employers as one of close interdependence. This indicates that, comparable to street vending, upward mobility is both enabled and limited by the intersections of gender, age and professional experience, and reflected by the visibility of work.

### 4.4 *Intersections with Class*

The extent to which workers in street vending and domestic work qualify as informal is further embedded into the modes of exchange with their customers and employers, and the class affiliations of the latter; put differently, workers' position on the continuum between informal and formal work is influenced by who they work for. Importantly, both among vendors and domestic workers and among their customers and employers, class does not present a single category but needs to be understood as internally differentiated and relational. I have illustrated above how street vendors and domestic workers, while belonging to a broad class of workers doing precarious work in the informal economy, differ in terms of their employment relations as well as their working, social and cultural capital, and how these differences result from complex intersections of multiple social categories. Correspondingly, the social position of their customers and employers, respectively, has implications for workers' access to legal protection and rights at work as well as to capital.

Street vendors offer goods and services to customers along a broad spectrum of class status and purchasing power. Although all street vendors suffer from a

lack of legal protection, their exposure to law enforcement and their access to business opportunities are affected by whether their main customer base are businesspeople and formally employed white collar workers, formally and—more commonly—informally employed blue collar workers, or the working poor and unemployed in the informal economy.

Street vending is popular across all classes in Tanzania, but its importance varies. For upper and middle class customers who normally shop at supermarkets and shopping malls, street vendors mainly present a convenience and opportunity for cheap bargains. They buy daily necessities from vendors who are stationed near bus stops or luxury items from hawkers who approach them in their cars or in their offices. As discussed earlier, vendors' access to these locations is both limited and enabled by specific intersections of social categories that vendors belong to. Towards the other end of the continuum, for many poor Tanzanians living in the cities, street vendors often provide the only affordable source for food, clothes or other necessities. The vendors catering to the working poor sell cheaper products than market vendors or wall-to-wall shops; they also tend to have smaller profit margins and low incomes themselves. While street vending in general is precarious work and there are many exceptions to the described patterns, it is nonetheless fair to say that class differences exist among street vendors which reflect and partly overlap with those among their customers.

Before the current period of legal tolerance towards vendors, law enforcement revealed a class bias. Cobblers as well as newspaper, coffee and ice cream vendors have been permanently tolerated within the Central Business District and elsewhere; their services are demanded by commuting office workers and entrepreneurs, and municipal authorities have avoided creating inconveniences for these groups. By contrast, the negative effects large-scale evictions had on low income informal workers, such as taxi drivers, shoe shiners, domestic workers or day labourers, or other groups such as students or the unemployed largely go unnoticed as these groups lack the channels to voice their support for evicted vendors. Due to the popularity of street vending among millions of Tanzanians, previous governments have refrained from evicting and penalizing street vendors during election campaigns but usually reversed the policies soon after the election.

The government of President Magufuli was the first to follow up on its campaign promises of legalizing street vending for its valued contribution in reducing poverty. It remains to be seen to which extent the distribution of vendor identity cards will benefit vendors and customers of different class backgrounds and income levels alike, and which turn policies towards street vending will take under President Samia Suluhu, Magufuli's successor. At the

moment, the issuing of identity cards has proven advantageous to owners of larger businesses while poorer vendors fear they will be marginalized and pushed out of the city (Steiler and Nyirenda 2021). There is thus a concern that in the future as in the past, well-established street vendors and entrepreneurs can use their identity cards to formalize their business while others who are disadvantaged by one or several categories remain informal and excluded from public space.

In domestic work, the profiles of employers have changed significantly since the emergence of the sector in the colonial period. Domestic workers were employed by Europeans, Asians and Arabs of the colonial ruling class and of business elites before Independence but have become increasingly hired by African employers since. Whereas the former ethnic minorities continue to present upper and upper middle class households in Tanzania, class affiliation of African employers is more varied. The means and the motivation for hiring domestic workers differ between income strata.

For members of ruling and upper class households, the hiring of one or several domestic workers presents a convenience and 'class marker' (Mattila 2011, 135): higher income households balance the costs and status of a domestic worker with that of electronic household appliances. Given the large supply of cheap labour in Tanzania, household appliances are comparatively expensive imports and a more potent signifier of wealth (see also Bujra 2000). The use of appliances, preparation of diverse diets, handling of expensive household materials and, in the case of foreign employers, different languages require that domestic and care workers are skilled, competent and trustworthy. As discussed above, workers in such settings are commonly contractually hired live-out workers who receive an hourly wage and who tend to be aware of their rights as well as of other labour market opportunities. Higher income households are located in formal, secure urban settlements and employers often hold formal jobs. Employers and workers are hence placed near the formal end of the formal-informal continuum. In the focus group discussions, domestic workers indicated that working for a high income household promised higher wages and good references but also privileges such as being given used expensive clothes or leftovers of luxurious foods.

Among the interviewed domestic workers, reputation of employers was also imbued with racial stereotypes: white European employers were associated with the best working conditions and most privileges, whereas many negative stereotypes existed with regard to Asian and Arab employers who held the ill reputation of disrespecting African workers and being exploitative. African employers were viewed in a more nuanced manner: regardless of income level, it mattered whether an employer treated the worker with

kindness and respect. Though these stereotypes lacked any substantiation other than rumours and anecdotes, they can be seen to reflect long-standing class differences, overlapping with prejudice concerning race/ethnicity of employers and workers.

For many Tanzanian middle class families, a domestic worker eases the burden of housework labour that is commonly the task of the female head of household; the hiring of domestic help also permits petty accumulation as it enables women to take up gainful employment (Bujra 2000; Kiaga 2007). For working class families and those in informal employment, that is, the majority of Tanzanians, domestic workers are often a necessity to manage subsistence. Informal economy workers, especially women who are responsible for the household in addition to paid employment, require help in caring for children and the elderly as well as in all other reproductive tasks. Low income households cannot afford household appliances which are moreover unsuitable for housing with little indoor space and poor infrastructure. During interviews and conversations with informal economy workers of different sectors, it became clear that members of households with the lowest incomes also had the longest working days and the least means to pay a domestic worker the legally fixed minimum wage. This offers an explanation to the finding of the ILO according to which domestic workers in low income households remain often under- or unpaid (ILO 2016). For Tanzanians with low incomes, unpaid family help or a domestic worker hired for board and lodge is often the only available option. Following up on domestic workers' legally guaranteed rights is hence all the more fraught with difficulties when embedded into the setting of poor informal economy households.

## 5 Conclusion

The observations from the two dissimilar sectors of street vending and domestic work presented in this paper have shown that, while legal regulation is indubitably crucial for workers' protection, some work and some workers are rendered more informal than others due to multiple and intersecting social categories, irrespective of the letter and practice of the law. The complex interplay of race/ethnicity, gender, age, marital status, education and class relations, with their roots in colonial history, shapes street vendors' and domestic workers' visibility to the law and their perception in public policies. In sum, a broad and heterogeneous spectrum of workers can be found to make a living in the two sectors, with considerable variation in the extent to which their work qualifies as informal and precarious.

Intersectionality, as theoretical and analytical tool, offers a useful lens to better understand the intricate ways in which workers and work processes are positioned along the continuum between formal and informal work. Though its recent mainstreaming in social analyses and policy as well as its potential vagueness also attract criticism, it must not be forgotten that the recognition and articulation of multiple axes of oppression and exclusion have their origins in black feminist thought and the concrete struggles of women of colour. Intersectionality thus presents an essentially political tool that aims at bringing to the fore the experiences of those at the margins, whose voice is usually not heard (see Carastathis 2016).

It is further important to note that although the work lives of the interviewed domestic workers and street vendors were shaped by the interplay of intersecting categories and historical trajectories, legislation and policies, their positions and struggles were not pre-determined but open to their ambitions, choices and strategies to make the best out of their situation. During the interviews, they discussed and made concrete suggestions for minor and major improvements to their work lives. This indicates that, in addition to directing attention to the complex, multiple and nuanced ways in which workers are excluded from protective frameworks, the value of intersectionality for labour studies lies in listening to the concerns of workers themselves and in critically assessing the potential but also limitations of labour regulation to include informal and precarious workers – in the global South and North alike.

## References

Ackson, Tulia. 2015. "'Legal hostility' towards street vendors in Tanzania: A constitutional quandary?" *SADC Law Journal* 2014/15 (1): 144–63.

Alexander, Catherine, and Joshua Reno, eds. 2012. *Economies of recycling: The global transformation of materials, values and social relations.* London: Zed Books.

Barnes, Thomas. 2010. "Economic Development and the Informalisation of Labour. Evidence from India's Urban Regions." Doctoral Dissertation, Faculty of Economics and Business, University of Sydney.

Beck, Ulrich. 2014. *The brave new world of work.* Cambridge, Malden, Mass. Polity Press.

Bonnet, Florence, Joann Vanek, and Martha Chen. 2019. *Women and Men in the Informal Economy. A Statistical Brief.* Manchester: WIEGO.

Breman, Jan. 1996. *Footloose labour: Working in India's informal economy.* Cambridge: Cambridge University Press.

Breman, Jan. 2013. "A Bogus Concept? Review article." *New Left Review* 84 (November-December): 130-.

Brown, Alison, Colman Msoka, and Ibrahima Dankoco. 2015. "A refugee in my own country: Evictions or property rights in the urban informal economy?" *Urban Studies* 52 (12): 2234–49.

Bujra, Janet M. 2000. *Serving class: Masculinity and the feminisation of domestic service in Tanzania.* International African library 24. Edinburgh: Edinburgh University Press for the International African Institute, London.

Burton, Andrew. 2005. *African underclass: Urbanisation, crime & colonial order in Dar es Salaam.* Eastern African studies. Oxford, Dar es Salaam, Athens: James Currey; Mkuki na Nyota; Ohio University Press.

Carastathis, Anna. 2016. *Intersectionality: Origins, Contestations, Horizons.* Lincoln, London: University of Nebraska Press.

Caritas. 2009. "Needed and exploited – the invisible suffering of migrant domestic workers." www.caritas.org/activities/women_migration/needed_and_exploited__the_invisible_suffering_of_migrant_domestic_workers.html.

Carr, Marilyn, and Martha A. Chen. 2001. *Globalization and the Informal Economy: How Global Trade and Investment Impact on the Working Poor:* WIEGO/ILO.

Castells, Manuel, and Alejandro Portes. 1989. "World Underneath: The Origins, Dynamics, and Effects of the Informal Economy." In *The informal economy: Studies in advanced and less developed countries*, edited by Alejandro Portes, Manuel Castells, and Lauren A. Benton, 11–37. A Johns Hopkins paperback. Baltimore [etc.]: Johns Hopkins University Press.

Chen, Martha A. 2007. "Rethinking the Informal Economy: Linkages with the Formal Economy and the Formal Regulatory Environment." Accessed June 25, 2017. http://www.un.org/esa/desa/papers/2007/wp46_2007.pdf.

Chen, Martha A. 2012. *The Informal Economy: Definitions, Theories and Policies: WIEGO Working Paper 1.* Cambridge, MA.

Chen, Marty. 2017. "WIEGO Research on Informal Employment: Key Methods, Indicators & Findings. Note from WIEGO 20th Anniversary Research Conference.".

Chen, Martha, and Françoise Carré. 2020. "Introduction." In *The Informal Economy Revisited. Examining the Past, Envisioning the Future*, edited by Martha Chen and Françoise Carré, 1–27. London: Routledge.

Chen, Martha A., Joann Vanek, and Marilyn Carr. 2004. *Mainstreaming informal employment and gender in poverty reduction.* Commonwealth Secretariat.

Conaghan, Joanne. 2009. "Intersectionality and the feminist project in law." In *Intersectionality and beyond: Law, power and the politics of location*, edited by Emily Grabham, Davina Cooper, Jane Krishnadas, and Didi Herman, 21–48. Social justice. London, Hoboken: Taylor & Francis; Routledge-Cavendish.

Crenshaw, Kimberlé. 1989. "Demarginalising the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics." *The University of Chicago Legal Forum* 89: 139–67.

Crenshaw, Kimberlé. 1994. "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color." *Stanford Law Review* 43 (6): 1241–99.

Davidov, Guy, Mark Freedland, and Nicola Kountouris. 2015. "The Subjects of Labor Law: "Employees"and Other Workers." In *Comparative Labor Law*, edited by Matthew Finkin and Guy Mundlak, 115–31. Research Handbooks in Comparative Law series. Cheltenham, UK: Edward Elgar.

Guha-Khasnobis, Basudeb, Ravi Kanbur, and Elinor Ostrom. 2006. "Beyond Formality and Informality." In *Linking the formal and informal economy: Concepts and policies*, edited by Basudeb Guha-Khasnobis, Ravi Kanbur, and Elinor Ostrom. Reprint, 1–18. UNU-WIDER Studies in development economics. Oxford, UK: Oxford University Press.

Hammer, Anita. 2019. "Comparative capitalism and emerging economies: formal-informal economy interlockages and implications for institutional analysis." *Review of International Political Economy* 26 (2): 337–60.

Harding, Sandra. 1986. *The Science Question in Feminism.* Ithaca: Cornell University Press.

Harris, John. R., and Michael. P. Todaro. 1970. "Migration, unemployment and development: A two-sector analysis." *American Economic Review* 60: 126–42.

Harriss-White, Barbara. 2020. "India's informal economy. Past, present and future." In Chen and Carré, *The Informal Economy Revisited. Examining the Past, Envisioning the Future*, 38–44.

Hart, Keith. 1973. "Informal Income Opportunities and Urban Employment in Ghana." *The Journal of Modern African Studies* 11 (1): 61–89.

ILO (International Labour Organization). 1991. *The Dilemma of the Informal Sector. Report of the Director-General: International Labour Conference, 78th session.* Geneva.

ILO. 2002a. *Resolution concerning decent work and the informal economy.* Geneva.

ILO. 2002b. *Decent work and the informal economy: Sixth item on the agenda.* Report / International Labour Conference 90th Session, 2002, VI. Geneva: International Labour Office.

ILO. 2013a. *Women and Men in the Informal Economy: A Statistical Picture.* 2nd ed. Geneva: International Labour Office.

ILO. 2013b. *Report V(1). Transitioning from the informal to the formal economy: Fifth item on the agenda.* Report V (1). Geneva: ILO.

ILO. 2013c. *Promoting Decent Work for Domestic Workers in Tanzania: Domestic Workers Convention No. 189; Recommendation No. 201; Tripartite Plus Plan of Action.* Dar es Salaam.

ILO. 2015. *Transition from the Informal to the Formal Economy Recommendation* (*No. 204*). Geneva: ILO.

ILO. 2016. *A Situational Analysis of Domestic workers in Tanzania*. With the assistance of ILO Country Office Dar es Salaam. Dar es Salaam.

ILO. 2018. *Women and men in the informal economy: A statistical picture.* Third edition. Geneva: International Labour Organization.

Johnson, Rebecca. 2005. "Gender, Class and Sexual Orientation: Theorizing the Intersections." In *Feminism, Law and Inclusion: Intersectionality in Action*, edited by G. MacDonald, R. L. Osborne, and C. C. Smith. Toronto: Sumach Press.

Kabeer, Naila. 2008. *Mainstreaming gender in social protection for the informal economy.* New gender mainstreaming series on development issues. London: Commonwealth Secretariat.

Kiaga, Annamarie. 2007. "Blaming the Other Woman: Rural Housegirls and Urban Employers on Identity, Labor and Migration in Tanzania." Doctoral Dissertation, University of Minnesota.

Koponen, Juhani. 1994. *Development for exploitation : German colonial policies in Mainland Tanzania, 1884–1914.* Helsinki: Suomen historiallinen seura.

La Porta, Rafael, and Andrei Shleifer. 2014. "Informality and development." *Journal of Economic Perspectives* 28 (3): 109–26.

Lyons, Michal, and Alison Brown. 2013. "Pro-Poor Business Law? On MKURABITA and the Legal Empowerment of Tanzania's Street Vendors." *Hague Journal on the Rule of Law* 5 (1): 74–95.

Lyons, Michal, Alison Brown, and Colman Msoka. 2012. "(Why) have pro-poor policies failed Africa's working poor?" *Journal of International Development* 24: 1008–29.

Lyons, Michal, and Colman Msoka. 2007. *Micro-Trading in Urban Mainland Tanzania. The Way Forward: Final Report*. With the assistance of Development Partners' Group on Private Sector. Dar es Salaam.

Maliyamkono, T. L., and Bagachwa, M. S. D. 1990. *The second economy in Tanzania.* Eastern African studies. London, Athens, Ohio, Nairobi, Dar es Salaam: James Currey; Ohio University Press; Heinemann Kenya; Eastern and Southern African Universities Research Programme (ESAURP).

Mantouvalou, Virginia. 2012a. "Human Rights for Precarious Workers: The Legislative Precariousness of Domestic Labour." *Comparative Labor Law & Policy Journal* 34: 133–66.

Mattila, Päivi. 2011. *Domestic labour relations in India: Vulnerability and gendered life courses in Jaipur.* Interkont Books 19. Helsinki: Helsingin yliopisto.

Mezzadri, Alessandra. 2016. "Class, gender and the sweatshop: on the nexus between labour commodification and exploitation." *Third World Quarterly* 37 (10): 1877–1900.

Mies, Maria. 1982. *The lace makers of Narsapur. Indian housewives produce for the world market.* Women in the Third World, International labour studies. London: Zed Books.

Mramba, Nasibu R. 2015a. "The Conception of Street Vending Business (SVB) in Income Poverty Reduction in Tanzania." *International Business Research* 8 (5): 120–29.

Munck, Ronaldo. 2013. "The precariat: A view from the South." *Third World Quarterly* 34: 747–62.

Mushi, Deograsias P. 2004. "Work insecurity in Tanzania: Sources and victims by work activity." In *Confronting economic insecurity in Africa*, edited by Rajenda Paratian and Sukti Dasgupta, 293–310. Dar es Salaam: ILO.

Nyirenda, Chediel, and Colman Msoka. 2019. "City Growth and the Plight of Street Vendors in Dar es Salaam, Tanzania: The Need for Policy Coordination." *Tanzania Journal of Sociology* 5 (June): 32–46.

Obeng-Odoom, Franklin. 2020. "COVID-19, Inequality, and Social Stratification in Africa." *African Review of Economics and Finance* 12 (1).

OSCE (Organization for Security and Co-operation in Europe). 2010. *Unprotected work, invisible exploitation.* Occasional paper series / Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings 4. Vienna: OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings.

Pariser, Robyn. 2015. "Masculinity and Organized Resistance in Domestic Service in Colonial Dar es Salaam, 1919–1961." *International Labor and Working-Class History* 88 (Fall): 109–29.

Pollert, Anna, and Andy Charlwood. 2009. "The vulnerable worker in Britain and problems at work." *Work, Employment and Society* 23 (2): 343–62.

Roever, Sally, and Caroline Skinner. 2016. "Street vendors and cities." *Environment & Urbanization* 28 (2): 359–74.

Sankaran, Kamala. 2011. "Informal Employment and the Challenges for Labour Law." In *The idea of labour law*, edited by Guy Davidov and Brian Langille, 223–33. Oxford, New York: Oxford University Press.

Scully, Ben. 2016. "Precarity North and South: A Southern Critique of Guy Standing." *Global Labour Journal* 7 (2): 160–73.

Shaidi, Leonhard P. 1984. "Tanzania: The human resources deployment act 1983 — a Desperate measure to contain a desperate situation." *Review of African Political Economy* 11 (31): 82–87.

Shivji, Issa G. 1986. *Law, state and the working class in Tanzania.* London: James Currey.

Siegmann, Karin A., and Freek Schiphorst. 2016. "Understanding the globalizing precariat: From informal sector to precarious work." *Progress in Development Studies* 16 (2): 111–23.

Soto, Hernando de. 2001. *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else.* New York: Basic Books.

Standing, Guy. 2011. *The precariat: The new dangerous class.* London, New York, NY: Bloomsbury Academic.

Steiler, Ilona, and Chediel Nyirenda. 2021. *Towards sustainable livelihoods in the Tanzanian informal economy. Facilitating inclusion, organization, and rights for street vendors.* WIDER Working Paper 2021/53: UNU-WIDER. Accessed >.

Trebilcock, Anne. 2006. "Using Development Approaches to Address the Challenge of the Informal Economy for Labour Law." In *Boundaries and frontiers of labour law: Goals and means in the regulation of work*, edited by Guy Davidov and Brian Langille, 63–86. Oxford, Portland, Or: Hart.

Tripp, Aili M. 1997. *Changing the rules: the politics of liberalization and the urban informal economy in Tanzania.* Berkeley, Los Angeles: University of California Press.

URT (United Republic of Tanzania). 2004. Employment and Labour Relations Act. Act No. 6 of 2004.

Vainio, Antti. 2012. *Market-based and rights-based approaches to the informal economy: A comparative analysis of the policy implications.* Uppsala: Nordiska Afrikainstitutet.

White, Richard J., and Colin C. Williams. 2014. "Anarchist economic practices in a 'capitalist' society: Some implications for organisation and the future of work." *Ephemera* 14 (4): 951–75.

Wilson, William J. 2012. *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy.* Chicago: University of Chicago Press.

Winker, Gabriele, and Nina Degele. 2011. "Intersectionality as multi-level analysis: Dealing with social inequality." *European Journal of Women's Studies* 18 (1): 51–66.

Wright, Erik O. 2016. "Is the Precariat a Class?" *Global Labour Journal* 7 (2): 123–35.

# PART 3

## *South Asia*

CHAPTER 5

# Conceptualising Informality in Late 19th Century Colonial North India: The Case of Famine Labour

*Amal Shahid*

## 1 Introduction

Coined in the 1970s by Keith Hart, the term 'informal sector' and its definition has evolved over the decades to include various wage and self-employments (Hart 1973). Employment formed an essential part of the development agenda in the 1970s, with wage labour at its core. With an aim to industrialise economies worldwide, models such as the Harris-Todaro of rural-urban migration, or the dual-sector model of W. Arthur Lewis, argued for development and advancement of capitalism through structural transformations (Harris and Todaro 1970; Lewis 1954). Implying that poverty reduction was a direct function of growth in the industrial and urban sectors, these models reinforced the divisions between agricultural and urban sectors, and assumed that a further division of the urban economy into formal and informal allowed the informal sector to absorb the 'undisciplined' and unskilled labour from the agricultural sector (Breman 1996, 2). As a result of these dualisms, informal sector became associated with self-employment, and formal sector with wage employment. Informality is then interpreted as an embodiment of characteristics associated with the informal sector: lack of job security, unregulated hours or wages, and precarity in work.

The growth of informality in the recent years and a rise of precarious jobs within the formal sector thus warrants a questioning of the approach of existing policies towards the concepts of formal and informal. Critics of Hart's conception of informal economy and later Hart himself emphasized the interpenetration and tension between formal and informal sectors (Bromley 1978; Hart 1985). This chapter reaffirms that the two sectors permeate by providing evidence of historical practice through the case of famine labour, and by revisiting some of the features assumed inherent to the informal sector as an unregulated sector. The term 'informal' has come to imply unregulated or beyond state control, the informal sector today being also known as the 'shadow economy' that evades taxes. However, as this chapter argues, the colonial state played a *direct* role in the regulation of famine-affected population for public

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works construction. Thus, this chapter challenges conventional associations between regulation and formality and non-regulation or informality.

The anachronism of the term 'informality' for the 19th century necessitates a clarification by distinguishing between informal sector as opposite of job security or labour protection, and informal sector as an unorganised sector and characterised by attempt towards, or lack of, labour regulation. The latter feature is traceable at least as far back as 19th century, whereas the former definition was conceptualised and popularised only by the 20th century. Instead of defining informalisation and informality in opposition to the formal, Prabhu Mohapatra shows that both formal and informal are characterised by degrees of regulation rather than an absence or presence of it (Mohapatra 2016).[1] As several scholars have shown, informality is typified by low wages, lack of contracts, casual employment, and arbitrary flexibilization of work (Breman and van der Linden 2014, 925–926). This chapter attempts to historically conceptualise informality for labour in India, with the aim of exploring the process of colonial state intervention in labour processes under the colonial famine relief system. In the absence of a regular and systematised Poor Law, famine relief measures thus became colonial state's crisis-management tools of public welfare during exceptional circumstances (Hodges 2005, 397).[2] Instead, famine labour camps averted the installation of a more permanent colonial welfare strategy, even as famines and plagues recrudesced periodically in the late 19th century (Forth 2017, 50).

While much of the research on informal labour in India began with studies focusing on the contemporary period, historians have recently highlighted informality in labour and work relations as far back as the 19th century.[3] Studies on industrial labour discuss instances of casual workers hired on a daily basis in factories such as in Bombay, Kanpur and Bengal (Chandavarkar 1994; Joshi 2003; Chakrabarty 1989).[4] These workers moved between industries or petty work, forming the bulk of the informal workforce. The argument that no informality existed before the rise of 'formal' industrial labour in the early 20th century India has been evidenced by studies such as Mohapatra's which

1 The article appeared earlier in (Bhattacharya and Lucassen 2005).

2 Sarah Hodges discusses colonial welfare in the context of Indian Contagious Diseases Acts and lock hospitals. David Arnold also examines the relationship between colonial welfare, famines and vagrancy (Arnold 2008).

3 See (Haynes 2012; Roy 2005). Studies on contemporary period that challenge the dualism of formal and informal sectors include (Harriss-White and Gooptu 2001; Harriss-White 2010; Breman 1996; Hammer 2019).

4 Other notable studies include (Bhattacharya, van der Linden and Mohapatra 2009; Bhattacharya and Lucassen 2005).

suggests that the history of state intervention in labour relations in India dates back to the 19th century, instead of 1926 as hitherto assumed (Mohapatra 2016). Mohapatra's legal approach shows that, rather than an absence of state regulation, state intervention in labour legislation by privatising regulation led to labour informalisation. Similarly, other historical examples of labour regulation by the colonial state include studies on forced labour.[5] This chapter too attends closely to the objectives of state regulation of labour and its boundaries for the famine context, that is, the inclusions and omissions of regulation.

Existing studies have nevertheless viewed informality under the colonial period in forms of indirect labour control and labour relations, either through the employer or an intermediary that aided in labour recruitment.[6] With the employer or intermediary replaced by the colonial administration for famine public works construction, the chapter draws attention to labour informality as a direct product of state intervention through its attempt to utilise a portion of the famine-affected population as a casual labour force, rendered vulnerable due to distress conditions. Akin to Harry Braverman's labour process theory, the 'manager,' in this case the colonial government, attempted to extract maximum surplus from labour through increased supervision of work pace and output by dividing work into specific tasks, with a set proportion of each in one gang (Braverman 1998).[7] Therefore, the chapter shows that, under the famine-relief employment system, labour was heavily regulated by the state and characterised by informality, that is, seasonality and casual work, low wages, arbitrary flexibilization or irregularities, as well as labour intensive work. This is not to say that the state was a homogenous entity in opposition to labour; in fact, the famine relief system comprised of several layers of administrative officials such as overseers, gang mates, accountants, clerks, and so on. At the same time, the prohibition of contracts on famine relief as per the Famine Codes made the figure of the intermediary as a recruiter and supervisor more negotiable during famine times.

The chapter consists of three main sections: the next section gives a background of the colonial famine relief policy in India, attempting to outline the main motivations of the state behind its formulation. Section 3 examines the organisation of famine relief-based construction work. Section 4

5 See (Ahuja, 2002; Joshi 2009; Joshi 2012; Patnaik and Dingwaney 1985; Chatterjee and Eaton 2006).

6 Such studies include for instance (Mohapatra 2016; Chakrabarty 1989; Behal and Mohapatra 1992). For a study on the various forms of intermediaries, see (Roy 2008).

7 Ian Kerr also draws upon Braverman to understand contractors' control over labour process (Kerr 1995, 6–7).

discusses conditions of work for famine labour and its regulation by the colonial government. To clarify terms, precarious labour forms a large portion of the informal sector; therefore, the informal sector consists of a plurality of workers beyond self-employed and illicit activities, with various other categories of workers between these divisions such as subsistence labour, small scale workers, formal workers with precarious contracts, unpaid domestic labour and so on (Barchiesi 2013, 74–78; van der Linden 2014, 9–21). The term 'casual' labour encompasses features of what is considered precarious labour, that is, workers who have "low average incomes with considerable instability and insecurity of income and employment" (Bromley and Gerry 1979, 14; quoted in: van der Linden 2014, 11). The 'precariat' or precarious labour has been studied in relation to the Global North, comparable to the informal sector of the Global South (Standing 2014; Breman and van der Linden 2014).

## 2 Background to Famine Labour

Public works construction in India took place via various means, such as being undertaken by local village heads by *begar* or coerced unpaid work, alongside tributary labour.[8] Until the establishment of the Public Works Department in 1854, the East India Company also sanctioned construction of public works under the Military Board to facilitate movement of troops in the subcontinent. Since the 1840s, India's colonial administration preferred construction of 'productive public works', that is, infrastructural projects where British capital could be profitably invested, as opposed to unproductive public works such as roads (Ahuja 2009, 6). In the 19th century, the colonial state also widely employed convict labour on construction of roads because supply of labour for construction work was unstable (Joshi 2009, 11). For railway construction, the government delegated contracts to private companies, who depended upon sub-contractors or other intermediaries for labour supply (Kerr 1995). Therefore, construction of public works for the colonial government was a challenging task especially during harvest times, and in general due to colonial preference for employing cheap, submissive labour that was unattached to the area. When famines hit the subcontinent, one of the ways the colonial government provided relief to the famine affected population was through employment on construction of public works. Towards the end of the 19th century,

8 *Begar* could be asked for at any time during the year, including harvest season, but usually did not involve mobility beyond the village (Joshi 2012).

the construction of public works was undertaken by famine labour, alongside prison labour, *begar* or peasant labour in non-famine periods and areas.

Construction of railways and irrigation works was intended to have both a protective and preventive impact on famines. Yet, the Indian subcontinent suffered from numerous famines and scarcities in the second half of the 19th century and early 20th century.[9] This chapter concentrates on the North-Western Provinces (NWP hereon) and Oudh, a fertile area in North India, with high production of commercial and agricultural crops. Given the commercial significance of the province during the colonial period, the British invested heavily in public works construction, that is, roads, railways, canals and tanks. G. W. MacGeorge, consulting engineer to the Government of India for railways, wrote about the "very extensive network of roads of every class" in the NWP (MacGeorge 1894, 86). Paradoxically, different areas of these provinces saw varied levels of famines and scarcities in the following years: 1860–1861, 1868–1869, 1872, 1873–1874, 1877–1878, 1880, 1890–1892, 1894–1895, 1896–1897, 1905, 1907–1908 and 1913–1914 (Bhatia 1967, 363; Kynch and Sibbons 1993, 6–7).

Several considerations informed the formulation of a famine policy in India. A fear of increase in crime and disorder, as well as a rising critique of the empire and famine management within India and in Britain were amongst the motivations for creation of a famine policy (Sharma 2019a; 2019b). The objection to colonial policies of trade and export, and revenue extraction further led to colonial action in famine times. At the same time, the colonial state had to secure its position in the subcontinent after the mutiny of 1857, and the occasional grain riots occurring during famines. The colonial state in India also came under criticism from sympathizers called 'old India hands' and 'crochets' who insisted the governments in India do more policy-wise as stories of famine became known internationally (Brennan 1984, 97). Therefore, although experimented with in 1836–1837, the policy of relief provision through wages became more prevalent after 1860–1861.[10] To streamline existing actions, and to combat the frequent occurrence of famines, the Indian Famine Commission met in 1878 and formulated the Famine Codes, which became the handbooks for famine administration when distress hit the provinces.

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9 Causes of famines in India has attracted attention of many scholars. One view places blame on the colonial government for unparalleled extraction of revenue and grain exports: (Naoroji 1901; Dutt 1902; 1904) Another view stresses the importance of British investment in railways for combatting famine and food crisis as the key characteristic of Indian famines (McAlpin 1983). Famine has been seen as a failure of food distribution rather than a lack of it, called the 'entitlement theory' (Sen 1981).

10 For a study of the 1836–1837 Agra Famine, see: (Sharma 2001).

Two key characteristics of the famine relief policy included: a non-intervention in grain trade, and an influence of Poor Laws in Britain (Ambirajan 1976; 1978; Hall-Matthews 2005). The belief in Adam Smith's laissez-faire was especially important to the first; however, intervention in famines and infrastructure construction was justified as being exceptions to the rule (Hall-Matthews 1996, 222). The main assumption behind placing famine victims on public works construction was that famines were caused by poverty, that is, a shortage of work and a consequent lack of wages rather than of food, and therefore, the population should earn wages through labour (Ambirajan 1978).[11] Hence, an absolute belief was placed in the reformative and disciplining qualities of labouring for the 'disorderly paupers.'[12] However, the motivation behind the temporary 'welfare' scheme of famine relief in India was inspired by but not completely akin to the Poor Laws as enacted in Britain during the 19th century. Discussing the Famine Commission Report of 1880, correspondences within Government of India stated that famine affected victims were to be treated as a 'population' when it came to relief provision, rather than 'individuals'. The justification for this was that an interference by the government for each individual case would be the application of poor law, which would prove detrimental to the community-based poor relief in Indian society (Kimberly 1883). Moreover, the House of Commons decided against the idea of a Poor Law in India, suggesting that "India was to be governed as a revenue plantation, not an almshouse" (Davis 2017, 33). Thus, while the British state guaranteed poor relief for its people in Britain, it was only prepared to consider relief for Indians during famines (Brennan 1984, 93).

The Famine Codes and Famine Commission Reports, just like censuses and statistical reports, represented colonial efforts at 'knowing' and regulating the colonial subject, complemented by a regulation of famine health and welfare (Bayly 1993; Quoted in Forth 2017, 7). Three Famine Commissions were set up in 1878, 1896–7 and 1901, resulting in their respective Famine Commission Reports (1880, 1898, and 1901) and a Famine Code in 1883. Provincial Famines Codes attempted to adapt to provincial conditions and were revised periodically, as also in the case of NWP, which were known as United Provinces (UP hereon) from 1902 (Brennan 1984, 107–108). The Famine Codes were created as a prescriptive instrument to streamline hours, wages, and conditions of work on famine public works, in addition to gratuitous and financial aspects

11 Famine relief policies in India were similar to the experience of Ireland, see (Nally 2008) and (Gray 2006).

12 Terms such as paupers, vagrants, able-bodied, and deserving poor were reminiscent of Poor Laws in Britain (Sharma 2001, 140–144; quoted in Arnold 2008, 121).

of famine relief. Such a standardisation measure also allowed entrenchment of bureaucratisation in colonial famine relief (Sharma 2001, Chapter 4), particularly functioning as a regulatory tool for famine labour productivity. This was visible in prescriptions of supervision, classification of labourers on their ability to work, as well as frequency, mode, and rates of payment. There was an expectation on part of the colonial state to obtain labour in return for the relief it provided, and that relief itself had to be 'earned' by able-bodied labouring classes. By 1912, the United Provinces Famine Code became more stringent about measurement and completion of tasks, and subsequent payment (Government of UP 1912, 19–21). Thus, although the major factor shaping famine relief consisted of cost considerations, colonial regulation of its subjects was reflected in the 'codification' of famine policy.

For the colonial famine administration, famine was defined as a situation when the total outturn of crop in a year was less than 25 percent of the full crop in a year and food prices rose by three times (Indian Famine Commission 1880). Besides price and quantity, the administration further differentiated between scarcity and famine districts by ascertaining whether there was a considerable number of people seeking relief from government. This was gauged through setting up 'test works', that is, public works projects to 'test' if people needed relief through employment. When there were a large number of people migrating to these sites, test works were converted to relief works. In other cases, districts were called 'scarcity districts' where there were no relief works to be opened or test works did not attract enough people. Relief provided was then to be only gratuitous in nature (Chief Secretary to Government UP 1909). The local government provided village relief to 'respectable castes' or 'non-labouring classes' in the form of grain or money doles in the villages, and additionally poorhouses were set up for those unable to labour. Private charity was actively discouraged and de-legitimised by the state in order to insert itself as the sole paternal ruler of the subcontinent (Sharma 2019a; 2019b).

Debates over the provision of employment on famine relief works in preference to charitable relief involved considerations of the burden placed on provincial administration. A public work project already underway would take a long time to transition to a relief work, given the problem of set contracts and wages. Next, not only was earthwork not readily available, but also many labourers dreaded earthwork due to caste issues. Colonel Alex Fraser, Chief Engineer of the Public Works Department (PWD) in NWP and Oudh, was of the opinion that if work was to be provided to the population, it should be in accordance to their skillset (Indian Famine Commission 1881–82, 92–3). The administration of people who were variably skilled was made more cumbersome by composing gangs solely for unskilled work. In such a situation,

people would flock to relief works only when distress reached its peak, as a last resort, causing a sudden and large influx of people that the government was not necessarily always equipped to deal with. However, these concerns were overlooked for one major reason: given the limited amount of resources the colonial state had for relief provision, it was of the utmost importance to receive in return an equivalent amount from the population, best attained in the form of unskilled labour on construction work (Indian Famine Commission 1881–82). In this way, the state played an active role in the utilisation of a casual labour force.

The informal workforce has been conceptualised in relation to the state's 'formal' wage labour provisions in the form of set work hours, wages, and socio-economic security, with little focus on the labour process itself (Denning 2015, 283). The assumptions that set wages and working hours within state regulation implies 'freedom' and justice for labour places an inherent trust in the fairness of the state or its policy making bodies. The historical case of famine labour shows that informalisation of the labour force, low wages, and low work security were orchestrated by state's famine policies. This was in turn due to the intrinsic nature of the colonial state itself. The projects and policies of the colonial administration often blurred the boundaries between workers and farmers, workers and urban poor, between workers conscious of their profession and their skills and footloose labour, and so on (Cooper 1996, 261–262). Famine population was seen as an untapped source of labour. The reference to famine affected population as 'labour' gives insight into the perceptions towards colonial population and ideas of relief, and the key motivation behind the creation of the Famine Codes. Thinkers such as Lenin and Luxemburg discussed how formal labour in the colonizing country relied on cheap casual labour in the colonies to absorb costs of labour reproduction under the extractive capitalist system (Luxemburg 1951; Lenin 1939; quoted in Agarwala 2015, 340). In fact, for the colonial state, the only way to remain competitive in trades and sustain the empire profitably was to ensure a steady supply of cheap labour (*The Pioneer Mail* 1900, 4–5). The expectations of getting labour out of a weak population had its roots in what has been called the 'colonial mode of production' functioning under the capitalist mode of production. As Jairus Banaji puts it:

> the problem of labour supplies was the dominant preoccupation and driving force of colonialism, and the short-term devices and long-term strategies through which this problem was resolved in different conjunctures constitute the essential point of departure for a closer understanding of specific colonial situations. (Banaji 1972, 2500)

## 3 Organisation of Famine Relief Works

The colonial governments regulated famine labour through district and civil officers, but without an intermediary. The intermediary in labour history, especially for India, functioned as a middleman aiding in recruitment of labour in remote areas, preselecting labour according to skill, overcoming communication problems due to language, or supervising tasks (van der Linden 2019, 474). The employment of a contractor, sub-contractor, or a jobber/middleman, that is a recruiter who would derive profit from providing labour form the countryside, was forbidden under the famine relief system. This was due to the assumption that contractors would attempt to employ only the able-bodied and exclude the weak in order to complete the construction project in time (Indian Famine Commission 1881–82). Additionally, with the incoming labour supply on relief works during famines, the need for a recruiter was minimised. The elimination of the intermediary and a more regular labour supply due to famine enabled the provincial governments to keep wages low by "externalising the costs of reproducing labour" to agriculture (Balachandran 2011, 274).[13] Yet, the district and PWD officials had to rely on qualified Indian overseers, sub-overseers and accountants for daily administrative tasks both on famine public works and village relief. Specifically, on relief works naib-tahsildars were officers in-charge of the works, while muharrirs recorded attendance and distributed wages (Jha 2019, 14).

Cost reductions induced a fixation on supervision for the administration of the famine relief works. An elaborate famine administration, primarily comprised of British officials, oversaw famine operations on the ground. Large numbers of potential labourers in rural districts were placed in 'gangs' under the supervision of the PWD. The idea behind placing responsibility on the PWD was that this department was already experienced in managing gangs of labour for construction. In effect, supervision by this department would then mean, by way of experience, ensuring more discipline in work by the labourers and more task exacted from them (Indian Famine Commission 1881–82). Able-bodied workers were supervised by PWD officers, and separated from unprofessional labour who were placed under civil officers. Civil officers comprised of the famine administration on the relief works, potentially in the hopes that the familiarity of these officers with 'the native character' would help minimise instances of desertion by labourers from the work site (Indian Famine Commission 1881–82).

13 Balachandran makes this observation for the case of Calcutta maritime labour force.

The fixation for supervision and disciplining of labour by the colonial state was also reflected in the selection of the kind of projects that were to be undertaken as relief works. Public works were divided into large works (the projects that could employ at least 1000 persons for three months) and small works (all other works employing fewer number of persons) (Government of India 1893, 36). Provisioning of small works around different villages would have allowed famine affected persons to stay close to home; however, they would be difficult to supervise compared to large works concentrated in areas of strategic interest to the government. Large projects such as railway or irrigation systems were preferred for famine relief works for purposes of easy management of labour and selection of projects of yielding most advantage to the colonial government eventually. Large works would thus allow for cheap supervision costs, and more labour outturn. Such projects would also make the colonial state more 'legible' within the subcontinent (Scott 1998). The famine relief works were thus concerned with minimisation of cost, but, at the same time, also ensuring that the results on the project by the labour input was satisfactory. Counter-intuitively, the rise in the cost of famine establishment for needs of strict supervision and the attempt to keep costs low implied that the burden was borne by the labourers.

Famine relief works were hence organised in any province with the following considerations: first, selecting the public works which were expected to yield the most permanent utility for the government which could exact maximum unskilled labour; second, management of the works by qualified staff; third, proper classification of relief workers into correct categories of workers for allotment of wages; fourth, appropriate tasking of workers based on ability; and finally, adoption of 'self-acting tests of distress' (Holderness 1896–7, 29).[14] This last concern implied application of self-designed methods, which may or may not be coded in the famine codes, to exact maximum work for minimal expenditure. These deviations from the original Famine Code and introduction of variations demonstrate that, while there was a standardisation of procedure, the aim of cost reduction and labour regulation superseded all formal prescriptions.

Deviations from the codes and irregularity of procedures on part of the administration was justified as expediency, whereas labourers faced punishment for aberration. Examples of these methods included the intermediate systems of wages applied in the NWP for the 1896–7 famine in severely distressed districts, which paid labour only for the work performed with no

14 The term 'self-acting test' was used both in the 1880 Famine Code as well as the English Poor Law Commission of 1832–1834 as pointed out in (Bhattacharya 1997; quoted in Kalpagam 2000, 437).

minimum wage (Holderness 1896–7). Under this system of payment by results, small contracts were given to petty local men at a rate that would enable them to pay labourers working for them (Sutherland 1898). The result was that the contractor or middleman, employed only the able-bodied, leaving out those who needed relief the most (Sutherland 1898, 9). Later, under the modified intermediate system, the PWD engaged directly with relief workers under strict rules for task completions. Another deviation from the code was to pay the parents of dependent children in cash, rather than providing the children with cooked food (Sutherland 1898, 9). On the other hand, correspondences between Collectors of various districts in NWP and Secretary to government NWP and Oudh show that punishments, such as imprisonment and fines, were meted out to famine labour and administrative staff, including patwaris and gang mates, found guilty of 'fraud' or dishonesty such as misappropriation of wages, discrepancy in muster-rolls or double payment of labourers in the gang (District Collectors NWP 1897). Other instances included plunder of *bania* or merchant shops in situations where *banias* were selling grain at prices higher than the market rates, or where there were instances of fraud on their part, as reported by the Collector of Hamirpur to the Commissioner of Allahabad (Warburton 1897). If found guilty of offences such as loot or plunder, famine labourers were imprisoned or even whipped (S. Muhammad Ali 1897). In Hardoi in 1897, *bania* shops were looted when *banias* refused to give credit to the labourers who had not received their wages due to low coin supply (Hardy 1897, 238). Therefore, legal action for major offences in famine relief work was reserved for subordinate Indians, without a mechanism for checks on official discrepancies.

## 4 Key Features and Regulation of Famine Labour

Informality was initially conceptualised as an urban phenomenon, but Jan Breman's work challenged three presumptions about the informal sector to show that: it was a sizeable sector; self-employment was only one of the many forms of employment under what may be considered informal; but, most importantly, that informality was not relegated to the urban economy (Breman 1996, 3). Breman argues that the duality of the rural from urban, and then division of urban into formal and informal ignores how informality is also a significant part of the rural sector, even in agricultural relations. Thus, the distinction between rural and urban for the informal sector is blurred, especially when labour migrates temporarily from rural to urban and vice versa (Breman 1996, 3–4). This is particularly the case with casual workers or hired labourers

that seek alternative employment during off-season. Continuous and stable employment characterises formal wage employment. Informal labour could be seasonal in nature, where workers are mobilised and dismissed according to the needs of the capitalist regime (Breman 1996, 23). Famine labour was peculiar in its mixed urban and rural composition, seasonality, precarity and low wages. Like a labour manager or employer, the famine administration prioritised productivity over relief, making famine labour a state-organised phenomenon which exhibited informality.

Famine relief works were project-based and lasted for the duration of the famine. As soon as rains returned and famine subsided, labourers returned to their occupations, some potentially rendered casual. When drought or famine hit a province or area, the government officials relied on a few indicators to gauge the extent of distress. These included: a rise in grain prices, increase in crime, but most importantly, through migration of hired labourers from rural areas to other villages or towns, seeking employment. Famine conditions also led to borrowing from landlords, even as credit capital started to dry up as distress hit (Indian Famine Commission 1880). As a result of lack of employment on the fields, the male members of the family would start search for employment by migrating first from village to village, before entering towns. Colonial administration in the districts attempted to compel able-bodied 'wanderers' to be directed to relief works or poorhouses, arguing that 'everything should be done to warn them that they were not likely to be better themselves' (Indian Famine Commission 1881–82, 304).

Labour migrated to famine relief-based construction sites usually set up far away from villages. As mentioned above, as soon as there was an indication of scarcity, 'test' works were set up, and depending on the number of people who flocked to these works, the intensity of the famine was gauged. These test works were often set up far away from the villages; the 'distance test' or the distance that the famine victims were willing to travel to attain relief was also seen as an indicator of famine distress. Many famine victims were unable to travel long distances due to weakness or could not afford to do it every day. In fact, many died on their way to these relief camps or collapsed on the worksite, due to malnutrition as well as plague diseases (Forth 2017, 43). Workers were not only too weak to work, but also could be dispensed with if found to be unable to work. Some relief works offered camp areas where labour could be housed temporarily, otherwise there were also instances of frequent desertions if the distance test was applied too strictly (Indian Famine Commission 1881–82, 210). The other tests applied to ascertain who was 'worthy' of relief included the labour and the wage test. Under the wage test the need of relief was proved by accepting a bare subsistence wage; whereas under the labour

test, the need for relief was judged by willingness to perform labour on set tasks as per physical ability.

The persons who came to relief works were weak due to starvation, described as "groups of emaciated forms little capable of the exertions of manual labour" (The Irish Times 1897, 6). The composition of famine relief workforce was varied: hired agricultural labourers, unskilled urban and rural casual workers, and even artisans who lost their livelihoods during famines. The bulk of the population that sought relief were artisans such as weavers, potters or cobblers, who lost income due to famine, as well as hired daily wage labour on agricultural fields and towns. While some weavers were given separate relief, this was not always consistent or sufficient, therefore forcing skilled artisans to take up manual labour. While men were the first to seek relief, women and children followed or accompanied them. Persons of almost all castes came to the relief works but not all were hired as manual labourers. The British preferred to employ landowners as 'mates' who were gang heads helping to keep tallies, while Brahmins distributed and Kahars carried water (NWP and Oudh government 1896). However, in practice, mates were also appointed from the labourers themselves. Some castes such as *Loonias*, who specialised in digging work, were employed and paid higher wages as 'Professional diggers' to set pace of work for others unaccustomed to the work required by the famine relief administration.[15] *Purda-nashin* or 'respectable' women were provided cash or grain doles in their homes. However, the work required from the labourers was mainly manual and unskilled, that is, of earthwork including digging or stone breaking, and carrying. Forth points out how metal or stone breaking was the preferred form of labour as it was an individual rather than a communal pursuit (Forth 2017, 65). The objective of the employer, in this case the colonial state, was to increase productivity of differently skilled labour through manual labour. But famine workers were weak and unproductive, making famine labour's efficiency only a fraction of regularly skilled labour (Forth 2017, 65–66).

Regulation of work was the most significant feature of famine public works. This was evident in the organisation of work on the relief site. Labour on relief works was divided into gangs, ranging between 40 to 100 persons, including diggers and carriers and a gang mate that would distribute the day's wages among the gang members. There were also special gangs of other workers such as sweepers, water carriers and distributors, conservancy patrols, etc. The labour gang was the most important aspect of work organisation on the relief

15 *Loonias* were called *Nuniyas* in Bengal as noted by (Jha 2019, 11).

works. Therefore, the manual labour gang was kept as permanent as possible; there was little flexibility on changing gangs or admitting new members. Tasks were then allotted to the gang as a unit and increased as time and work progressed (NWP and Oudh government 1897). Initial tasks were kept low so that relief works would attract all 'wandering' labour and minimise instances of desertions if the tasks were too strenuous (Indian Famine Commission 1881–82, 210). Working hours for famine relief work were also regulated. The work day began at 9 a.m. when the workers were paid their wages of the previous day (NWP and Oudh government 1896–7). The famine establishment would be present, along with the accountants, cashiers, and gang mates, to distribute wages in bags that were prepared the previous night. Each worker was to assemble near the flag of its gang, get attendance for the day and resume work by eleven in the morning. A bell in the evening indicated when the work day was over (NWP and Oudh government 1896–7).

Further differentiations of labour within unskilled tasks shows the intervention of the state through intricate categorisations of labour, thus making 'legible' regulation of labour units through the process of identification, observations, aggregation and supervision (Scott 1998, 183). The famine-affected population that migrated to relief works was divided into the following types of gangs: full work gangs, comprising of able bodied and experienced labourers capable of a full day's work; ordinary gangs, composed of able bodied but inexperienced labourers capable of three quarters of a full day's work; light labour gangs composed of people equal to half a day's work only; aged and decrepit gangs; and, special gangs composed of people able to do little light work only (Secretary of State for India 1885). The first three gangs were employed on a system called the 'task system' whereby anyone completing the full day's task received the maximum wage for their respective class of gang, and anyone falling short of it was to receive not less than the minimum wage. For the rest, there was the possibility of piece work, or wages given by task accomplished with no minimum wage. The government of the NWP and Oudh eventually simplified these categorisations. As the relief workers were ordinarily employed on earthwork of the simplest kind, needing only two classes of labourers—the digger and the carrier—only two classes of workers were recognised with two wage rates (Holderness 1896–7). The carriers who formed the great mass of the workers and who were chiefly women and children, received a wage which was practically the minimum wage of the code. The digger received a slightly higher wage. On the other hand, the rates of ration prescribed by the Famine Codes and Commission for different classes of workers declined progressively from 1893 to 1901 by two-three *chhataks* for diggers and four-five *chhataks* for

carriers.[16] By 1901 the wage was equivalent to the ration of eighteen *chhataks* for men and fourteen for women, while male carriers received fourteen *chhataks* and female thirteen *chhataks* (Indian Famine Commission 1901, 43). Gang mates received two pice more than diggers, while working children received ten *chhataks* (Indian Famine Commission 1901, 43). Young children below seven or eight years of age were considered dependents, ordinarily to be given charitable relief as the wages on the relief works provided only for individuals and not families. In practice, children regardless of their age were placed on carrying works, however small the basket of earth (Charmichael 1874, 4). By the end of the 19th century, the famine administration considered raising the working age of children as they were "a nuisance on the works" and they too like adults "ought to be punished for their idleness" (Indian Famine Commission 1901, 35).

The famine administration also regulated famine labour productivity and relief costs by holding wages down.[17] Wages were to be paid in cash as far as possible but could also be paid in the form of cooked food or grain doles. The wages paid for manual and unskilled work of digging and carrying earth on these construction works were meant as relief to provide for minimum amount of food required by the population. The wages were calculated on the basis of the minimum diet required by the Indian body as compared to the Europeans (Hall-Matthews 2008, 1194). The maximum wage for men was set at the value of 2¼ lbs of grain a day, the minimum at 1¾ lbs., and proportionately less for women and children (Government of India 1893, 38). The minimum amount of grain required was then converted to cash wages depending upon the prevailing price of the grain in the area, using a document called 'ready reckoner.' At times, wage calculations could not keep up with the price rise, disadvantaging the labourer and his subsistence. Moreover, Sunday wages were dispensed with on the grounds that it would have been too generous, and the labourer received sufficient wages throughout the week to maintain himself for the seventh day (NWP and Oudh government 1897).

Wages also depended upon the intensity of the task due to quality of the soil. Wages were to be raised when soil was hard, and reduced correspondingly when rains occurred or if the soil was soft. However, this practice was not followed uniformly in all districts. In fact, where possible, the famine

16 A chhatak is about 2 ounces or 1/16th of a ser. (Indian Famine Commission 1898, 260; Indian Famine Commission 1901, 43; quoted in Jha 2019, 19–20).

17 For a study on how the employer and the state come together to break formal structures and create informality for labour, see (Balachandran 2011).

administration would be made stricter with closer supervision to ensure that wages remained minimum (Holderness 1896–7). For example, wages were reduced to half in NWP when rains returned (Indian Famine Commission 1881–82, 211). While the Codes prescribed set rates of wages for the labourers, there were many practices that led to wage reductions or insufficient wages for the workers. If a labourer fell short of completing the task for the day, he or she was fined part of the wage, or given a penal ration as cooked food. (NWP and Oudh government 1896).[18] Moreover, with the expectation that famine conditions would improve gradually, wages were reduced progressively as weeks passed, while the tasks would increase. These gradual reductions would not always keep pace with the prevailing level of distress.

Another assumption that determined wage rates was that whole families increased their overall income by including women and children in gangs for work. Therefore, the tasks of high lifts and long leads in earthwork were omitted from calculation of wage rates to reduce overall income of the family (NWP and Oudh government 1897). In this way, diggers were only paid for excavation and carriers to dispose earth. The completion of the gang's overall task depended mainly upon the diggers: the more they could dig, the more there would be to carry. The task was started off as the full task (between 85–130 cubic feet per day), and then gradually raised further every two weeks, the intensity of which depended upon the strength of the diggers in the gang. The ordinary task was the highest or the full task that could be exacted from the labourers. In no instance was a lower task to be given out to the gangs, and any officer or engineer doing so was to be held accountable (NWP and Oudh government 1897). Anyone found being unable to complete the given task for the day was to be fined on the minimum wage. Therefore, tasks were set out per gang but also by individual for each day, with at least three days' work marked out to prevent slacking and overcrowding. Under the garb of inculcating labour discipline, the main aim of this form of population management was to 'get value' from gangs, increase productivity, and make sure that they "perform their duties efficiently" (NWP and Oudh government 1897, 11). A fluctuating supply of currency on each relief work site also made it difficult to make regular payments to the labourers. Payments were thus often deferred, causing indebtedness of labourers to the grain merchant, or starvation. It was also brought up by some British Officials that the wages prescribed were too low. During a debate in the parliament, C.E. Schwann pointed out to the Secretary of State George Hamilton that "the wages paid to labourers on relief works are insufficient to secure to them one full meal

18 For a discussion of how women negotiated tasks in response to fining, see (Jha 2019, 24–26).

every day"; however, Hamilton refused to change wage rates as prescribed in the Famine Code (Schwann 1897).

## 5 Conclusion

The case of famine labour disputes conventional associations between formal or regulated and informal or unregulated, by highlighting state-administered constitution of labour informality, in addition to prevailing famine vulnerability. Studies on labour regulation under the colonial period have included those on forced labour such as indentured labour, convict labour, and slavery. Creation of informality in 19th century India is viewed as an indirect product of an intermediary, emanating from cultural explanations of labour mobilisation. This chapter discussed labour regulation where the colonial government through its 'formal' codes directly functioned as the employer and manager in the absence of a recruiter, and thus closely regulated famine labour. Therefore, this case adds to both historical and contemporary literature that questions and evidences the duality of 'formal' and 'informal.'

This chapter has attempted to highlight the ways in which the state co-constructed informality during famines, through a discussion of working conditions and work organisation. The context of famine precarised a wide variety of castes and classes of people, leaving majority of the population without a steady income and access to food, some of whom had to 'earn' relief through the sale of their labour power. The famine policy, with its underlying premise of being a benevolent relief scheme, allowed for regulation of labour characterised by informal features. Famine Codes systematized colonial relief provision and employer-labour relations, albeit with deviations in practice. Therefore, although famine relief works had regular work hours, took place under the aegis of the state, and prescribed set wages, famine labour exhibited informal features in the form of precarity, low and fluctuating income, seasonal and migratory work, and inconsistency in work to allow cost reduction for relief. Informality also pervades gendered work. Women's work has been scarcely taken into account; women and children find themselves in precarious work conditions, with low pay and little job security. Such was also the case with famine labour, especially with wages. As noted above, women were paid less wages and were expected to do less strenuous tasks. However, in practice, some women were also employed as diggers or even gang mates (Jha 2019).[19]

19 Another detailed study on the role of women in famine labour is (Kynch and Sibbons 1998).

Informal and casual labour has been an important part of the study of Asia's economic transformation. The formal sector conceptualised as urban and state-regulated assumes a guarantee of security for the worker. Therefore, if insecurity signifies informality, then insecurity in work even in the organised, state-regulated sectors also calls for attention. Moreover, the urban informal sector, or the infrastructures that make a space urban, is not entirely 'urban' for "its networks connect the city and country", and it is not just informal, as the "relationships are highly structured" (Cooper 1996, 466). A focus on the dichotomy of formal and informal comes at the expense of re-envisioning various forms of state regulation and responsibilities. This chapter has thus shown how precarity and informality could be instituted by state actors themselves; therefore, the state and its institutional infrastructure as a guarantor of welfare is open to question.

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**References**

Agarwala, Rina. 2015. 'Reshaping the Social Contract Emerging Relations between the State And informal Labor in India'. In *Global Histories of Work*, edited by Andreas Eckert. Work in Global and Historical Perspective volume 1. Berlin: De Gruyter Oldenbourg.

Ahuja, Ravi. 2002. 'Labour Relations in an Early Colonial Context: Madras, *c.* 1750–1800'. *Modern Asian Studies* 36 (4): 793–826.

Ahuja, Ravi. 2009. *Pathways of Empire: Circulation, 'Public Works', and Social Space in Colonial Orissa (c.1780–1914)*. New Perspectives in South Asian History 25. Hyderabad: Orient BlackSwan.

Ambirajan, S. 1978. *Classical Political Economy and British Policy in India*. Cambridge South Asian Studies 21. Cambridge: Cambridge University Press.

Ambirajan, S. 1976. 'Malthusian Population Theory and Indian Famine Policy in the Nineteenth Century'. *Population Studies* 30 (1): 5–14.

Arnold, David. 2008. 'Vagrant India: Famine, Poverty, and Welfare under Colonial Rule'. In *Cast out: Vagrancy and Homelessness in Global and Historical Perspective*.

Edited by A.L. Beier and P. Ocobock. Ohio University Research in International Studies. Global and Comparative Studies Series, no. 8. Athens: Ohio University Press.

Balachandran, G. 2011. 'Making Coolies, (Un)Making Workers: "Globalizing" Labour in the Late-19th and Early-20th Centuries'. *Journal of Historical Sociology* 24 (3): 266–96.

Banaji, Jairus. 1972. 'For a Theory of Colonial Modes of Production'. *Economic and Political Weekly* 7 (52): 2498–2502.

Barchiesi, Franco. 2013. 'Casual Labor and Informal Economy'. In *Sociology of Work: An Encyclopedia*, Edited by Vicki Smith. California: SAGE Publications.

Bayly, C. A. 1993. 'Knowing the Country: Empire and Information in India'. *Modern Asian Studies* 27 (1): 3–43.

Bhatia, B. M. 1967. *Famines in India: A Study in Some Aspects of the Economic History of India, 1860–1945*. New York, USA: Asia Publishing House.

Bhattacharya, Sabyasachi. 1997. 'The Labouring Poor and Their Notion of Poverty: Late 19th and Early 20th Century Bengal', *Labour and Development* 3: 1–23.

Bhattacharya, Sabyasachi, Jan Lucassen, and SEPHIS (Programme: Netherlands), eds. 2005. *Workers in the Informal Sector: Studies in Labour History, 1800–2000*. Delhi: Macmillan India Ltd., in association with South-South Exchange Programme for Research on the History of Development.

Bhattacharya, Sabyasachi, Marcel van der Linden, Prabhu P. Mohapatra, and Association of Indian Labour Historians, eds. 2009. *Labour Matters: Towards Global Histories: Studies in Honour of Sabyasachi Bhattacharya*. V.V. Giri, National Labour Institute, New Delhi: Tulika Books.

Braverman, Harry. 1998. *Labor and Monopoly Capital: The Degradation of Work in the Twentieth Century*. New York: Monthly Review Press.

Breman, Jan. 1996. *Footloose Labour: Working in India's Informal Economy*. Contemporary South Asia 2. Cambridge: Cambridge University Press.

Breman, Jan, and Marcel van der Linden. 2014. 'Informalizing the Economy: The Return of the Social Question at a Global Level: Debate: The Return of the Social Question at a Global Level'. *Development and Change* 45 (5): 920–40.

Brennan, Lance. 1984. 'The Development of the Famine Code'. In *Famine as a Geographical Phenomenon*, edited by Bruce Currey and Graeme Hugo. GeoJournal Library, v. 1. Dordrecht: D. Reidel Pub. Co.

Bromley, R. 1978. 'Introduction - the Urban Informal Sector: Why Is It Worth Discussing?' *World Development* 6 (9–10): 1033–39.

Bromley, R.J. and C. Gerry. 1979 'Who Are the Casual Poor?' In *Casual Work and Poverty in Third World Cities* edited by Bromley and Gerry. Chichester: John Wiley.

Chakrabarty, Dipesh. 1989. *Rethinking Working-Class History: Bengal 1890–1940*. 1st ed. Princeton: Princeton University Press.

Chandavarkar, Rajnarayan. 1994. *The Origins of Industrial Capitalism in India: Business Strategies and the Working Classes in Bombay, 1900–1940*. Cambridge South Asian Studies 51. Cambridge: Cambridge University Press.

Chatterjee, Indrani, and Richard Maxwell Eaton. 2006. *Slavery & South Asian History*. Bloomington: Indiana University Press.

Cooper, Frederick. 1996. *Decolonization and African Society: The Labour Question in French and British Africa*. African Studies Series 89. New York: Cambridge University Press.

Davis, Mike. 2017. *Late Victorian Holocausts: El Niño Famines and the Making of the Third World*. London: Verso.

Denning, Michael. 2015. 'Wageless Life'. In *Global Histories of Work*, edited by Andreas Eckert. Work in Global and Historical Perspective volume1. Berlin: De Gruyter Oldenbourg.

Dutt, R.C. 1902. *The Economic History of India under Early British Rule: From the Rise of British Power in 1757 to the Accession of Queen Victoria in 1837, Vol. I*. London, UK: Kegan Paul, Trench Trubner.

Dutt, R.C. 1904. *The Economic History of India in the Victorian Age. From the Accession of Queen Victoria to the Commencement of the Twentieth Century Vol. II*. London, UK: Kegan Paul, Trench Trubner.

Forth, Aidan. 2017. *Barbed-Wire Imperialism: Britain's Empire of Camps, 1876–1903*. Berkeley Series in British Studies 12. Oakland, California: University of California Press.

Gray, Peter. 2006. 'Famine and Land in Ireland and India, 1845–1880: James Caird and the Political Economy of Hunger'. *The Historical Journal* 49 (1): 193–215.

Hall-Matthews, David. 1996. 'Historical Roots of Famine Relief Paradigms: Ideas on Dependency and Free Trade in India in the 1870s'. *Disasters* 20 (3): 216–30.

Hall-Matthews, David. 2005. *Peasants, Famine and the State in Colonial Western India*. Basingstoke: Palgrave Macmillan.

Hall-Matthews, David. 2008. 'Inaccurate Conceptions: Disputed Measures of Nutritional Needs and Famine Deaths in Colonial India'. *Modern Asian Studies* 42 (6): 1189–1212.

Hammer, Anita. 2019. 'Comparative Capitalism and Emerging Economies: Formal-Informal Economy Interlockages and Implications for Institutional Analysis'. *Review of International Political Economy* 26 (2): 337–60.

Harris, J.R., and M.P. Todaro. 1970. 'Migration, Unemployment and Development: A Two-Sector Analysis'. *The American Economic Review* 60 (1): 126–42.

Harriss-White, Barbara. 2010. "Globalisation, The Financial Crisis and Petty Production in India's Socially Regulated Informal Economy." *Global Labour Journal* 1(1): 152–177.

Harriss-White, Barbara. and Nandini Gooptu. 2001. "Mapping India's World of Unorganised Labour." In *Socialist Register: Working classes. Global realities* edited by L. Panitch & C. Leys. London: Merlin.

Hart, Keith. 1973. 'Informal Income Opportunities and Urban Employment in Ghana'. *The Journal of Modern African Studies* 11 (1): 61–89.

Hart, Keith. 1985. 'The Informal Economy'. *Cambridge Anthropology* 10 (2): 54–58.

Haynes, Douglas E. 2012. *Small Town Capitalism in Western India: Artisans, Merchants and the Making of the Informal Economy, 1870–1960.* Cambridge: Cambridge University Press.

Hodges, Sarah. 2005. '"Looting" the Lock Hospital in Colonial Madras during the Famine Years of the 1870s'. *Social History of Medicine* 18 (3): 379–98.

Jha, Madhavi. 2019. '"Men Diggers and Women Carriers": Gendered Work on Famine Public Works in Colonial North India.' *International Review of Social History* 65(1): 1–28.

Joshi, Chitra. 2003. *Lost Worlds: Indian Labour and Its Forgotten Histories*. Delhi: Permanent Black and Orient Longman.

Joshi, Chitra. 2009. 'Fettered Bodies: Labouring on Public Works in Nineteenth-Century India'. In *Labour Matters: Towards Global Histories: Studies in Honour of Sabyasachi Bhattacharya*, edited by Sabyasachi Bhattacharya, Marcel van der Linden, Prabhu P. Mohapatra, and Association of Indian Labour Historians. V.V. Giri National Labour Institute. New Delhi: Tulika Books.

Joshi, Chitra. 2012. 'Public Works and the Question of Unfree Labour'. In *Labour, Coercion, and Economic Growth in Eurasia, 17th–20th Centuries*, edited by Alessandro Stanziani, 273–87. Leiden: Brill.

Kalpagam, U. 2000 'Colonial Governmentality and the "Economy."' *Economy and Society* 29(3): 418–438.

Kerr, Ian J. 1995. *Building the Railways of the Raj, 1850–1900*. New York: Oxford University Press.

Kynch, Jocelyn and Maureen Sibbons, eds. 1993. *Famine in British India: Learning from Longitudinal Data, Papers in International Development 9*. Swansea: Centre for Development Studies, University of Wales.

Kynch, Jocelyn and Maureen Sibbons. 1998. "Famine Relief, Piecework and Women Workers: Experiences in British India." In *A World without Famine?,* edited by H. O'Neill and J. Toye. London: Palgrave Macmillan.

Lenin, Vladimir. I. 1939. *Imperialism, the highest stage of capitalism*. New York: International.

Lewis, W.A. 1954. "Economic Development with Unlimited Supplies of Labour." *The Manchester School* 22(2): 139–191.

Luxemburg, Rosa. 1951. *The Accumulation of Capital.* London: Routledge and Kegan Paul.

McAlpin, Michelle B. 1983. *Subject to Famine: Food Crisis and Economic Change in Western India, 1860–1920.* New Jersey: Princeton University Press.

Mohapatra, Prabhu P. 2016. 'Regulated Informality Legal Constructions of Labour Relations in Colonial India 1814–1926.' In *Global Histories of Work,* edited by Andreas Eckert. Berlin: De Gruyter.

Nally, David. 2008. '"That Coming Storm": The Irish Poor Law, Colonial Biopolitics, and the Great Famine.' *Annals of the Association of American Geographers* 98(3): 714–741.

Naoroji, Dadabhai. 1901. *Poverty and Un-British Rule in India*. London: Swan Sonnenschein & co. Ltd.

Patnaik, Utsa and M. Dingwaney, eds. 1985. *Chains of Servitude: Bondage and Slavery in India*. Hyderabad: Sangam Books; Distributed by Orient Longman.

Roy, Tirthankar. 2005. *Rethinking Economic Change in India: Labour and Livelihood*. Routledge Explorations in Economic History 28. London: Routledge, 2005.

Roy, Tirthankar. 2008. "Sardars, Jobbers, Kanganies: The Labour Contractor and Indian Economic History." *Modern Asian Studies* 42 (5): 971–998.

Scott, James C. 1998. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed.* New Haven, CT: Yale University Press.

Sen, Amartya. 1981. *Poverty and Famines: An Essay on Entitlement and Deprivation*. New York: Clarendon Press.

Sharma, Sanjay. 2001. *Famine, Philanthropy, And The Colonial State: North India In The Early Nineteenth Century.* New Delhi: Oxford University Press.

Sharma, Sanjay. 2019a. 'Poorhouses and gratuitous famine relief in colonial North India.' In *A cultural history of famine: Food security and the environment in India and Britain*, edited by Ayesha Mukherjee. New York: Routledge.

Sharma, Sanjay. 2019b. 'Famine, Relief, and Rhetoric of Welfare in Colonial North India.' In *An economic history of famine resilience*, 1st edition, Edited by J. Dijkman and B. van Leeuwen. New York: Routledge.

Standing, Guy. 2014. The precariat: The new dangerous class. London: Bloomsbury.

van der Linden, Marcel. 2014. "San Precario: A New Inspiration for Labour Historians." *Labour Studies in Working-Class History of the Americas* 11 (1): 9–21.

van der Linden, Marcel. 2019. 'Work Incentives and Forms of Supervision'. In *Handbook the Global History of Work*, edited by Karin Hofmeester and Marcel van der Linden. Berlin: De Gruyter Oldenbourg.

## Archival Sources

Charmichael, C.P. 22 March 1874. Correspondence with Secretary to government NWP, Government of NWP and Oudh, Public Works Department Papers, NWP Proceedings 1874 (IOR/P/61). India Office Records London: British Library.

Chief Secretary to Government UP. 1909. Correspondence with Secretary to the Government of India Department of Revenue and Agriculture. Question whether gratuitous relief should precede the declaration of famine, Scarcity Department (File no. 123, Box 71). Lucknow: Uttar Pradesh State Archives.

District Collectors of NWP and Oudh. 1897. Correspondences with Secretary to Government NWP and Oudh. Reports of fraud and dishonesty in connection with famine

relief operations in the North-Western Provinces and Oudh, 1898 Scarcity Block Department, (File 185 Box 37). Lucknow: Uttar Pradesh State Archives.

Government of India. 1893. Extract from the Proceedings of the Government of India in the Revenue and Agricultural Department no. 35/33 dated Simla, 24 August 1893, Appendix II, Amendment of Famine Codes 1894. India Proceedings (IOR/P/4568) India Office Records. London: British Library.

Government of United Provinces (UP). 1912. The Revised Famine Code United Provinces 1912, Official Publications: Food and Famine, (IOR/V/27/831/61), India Office Records. London: British Library.

Hardy, R.G. Commissioner Lucknow Division. 2 March 1897. Correspondence with Secretary to Government NWP and Oudh, NWP and Oudh Proceedings April to July 1897 (IOR/P/5131). India Office Records. London: British Library.

Holderness, T.W. 1896–7. Narrative of Famine in India. Parliamentary Collection (IOR/L/PARL/2/177/4) India Office Records. London: British Library.

Kimberly. 1883. Correspondence with Governor General of India in Council. Report of the Indian Famine Commission with correspondence with the Government of India on subjects treated in the Report 1880. Economic Department Records (IOR/E/6/24. File 271.) India Office Records. London: British Library.

MacGeorge, G.W. 1894. Ways and Works in India, Being an Account of the Public Works in That Country from the Earliest Times up to the Present Day. Westminster: Archibald Constable and Company. (General Reference Collection 08235.f.40) London: British Library.

NWP and Oudh government. 1896. 'Resolution on the scarcity and relief operations in the up during the spring and summer of 1896.' Question of withholding the Sunday wage when advisable. Department of Revenue and Agriculture, Famine branch. January 1897, File no.5 of 1896. Part A, Progs. nos. 23–24. Delhi: National Archives of India.

NWP and Oudh Government. 1896–7. 'Resolution on the Administration of Famine Relief during 1896–7.' Official Publications: Food and Famine (IOR/V/27/830/96) India Office Records. London: British Library.

NWP and Oudh government. 1897. Public Works Department Papers, India Proceedings. Jan-Feb 1897 (IOR/P/5203) India Office Records. London: British Library.

Schwann, C.E. 25 March 1897. Debate Vol. 47 cc1321–2, House of Commons Parliamentary Papers, Hansard online, available at https://api.parliament.uk/historic-hansard/commons/1897/mar/25/indian-famine#column_1321 (accessed 26 January 2021).

Report of the Indian Famine Commission. 1880. Part I Famine Relief. London: George Edward Eyre and Willian Spottiswoode. HathiTrust Digital Library, available online at https://www.hathitrust.org/.

Report of the Indian Famine Commission. 1898. Simla: Government Central Printing Office. HathiTrust Digital Library, available online at https://www.hathitrust.org/.

Report of the Indian Famine Commission. 1901. Calcutta: Superintendent of Government Printing. HathiTrust Digital Library, available online at https://www.hathitrust.org/.

Report of the Indian Famine Commission. 1881–2. Appendices. Parliamentary Collection (IOR/L/PARL/2/175) India Office Records. London: British Library.

S. Muhammad Ali. 30 May 1897. Correspondence with Warburton. Plunder of banias' shops on relief works in the NWP and Oudh. Scarcity Block Department (File no. 167, Box 35). Lucknow: Uttar Pradesh State Archives.

Secretary of State for India. March 12, 1885. Correspondence with the Government of India. Revenue Scarcity Department, NWP and Oudh Proceedings 1886 (IOR/P/2683) India Office Records. London: British Library.

Sutherland, A. R. 21 March 1898. Minutes of Evidence, Appendix to the Report of the Indian Famine Commission 1898, Being Minutes of Evidence Etc. Part V- North-Western Provinces. London: Darling & Son (IOR/L/PARL/2/180) India Office Records. London: British Library.

The Irish Times, April 1, 1897. Pictures of the Indian Famine in the Graphic. Proquest Historical Newspapers.

The Pioneer Mail, May 18, 1900. The Labour Question in India. General Reference Collection Microform. (MFM. MC1101) London: British Library.

Warburton, Collector of Hamirpur. August 12, 1897. Correspondence with Commissioner of Allahabad. Plunder of banias' shops on relief works in the NWP and Oudh. Scarcity Block Department (File no. 167, Box 35). Lucknow: Uttar Pradesh State Archives.

CHAPTER 6

# Precarious Self-Employment in India: A Case of Non-Agriculture Own Account Workers

*Tulika Tripathi and Nripendra Kishore Mishra*

## 1 Introduction

There is an explicit thrust in India, especially in the present political regime, on promotion of self-employment. Often, an argument is made that self-employment is a better type of employment, without distinguishing between voluntary self-employment and involuntary self-employment. Historically, self-employment has been always the largest type of employment, being almost half of total workforce in 2019–20. Rise in self-employment in India is part of the larger processes of declining formal employment, operation of global production networks, out-sourcing of work (or contractualisation of work), weakening of labour movement and neo-liberal economic reforms. This has created a labor class that is neither proletariat nor bourgeois but a petty producer integrated in GPNs through mediators called 'contractors.' These producers are basically laborers who have been pushed out of the factory system and forced into self-employment, often earning even less than casual wage workers. It was not possible to know earnings of self-employed workers from labour force surveys of India before 2017–18. But, Periodic Labour Force Survey (PLFS) has collected this information for 2017–18, 2018–19 and 2019–20. The present paper uses this data from PLFS. A threshold level of earnings (TLE) which can be considered adequate (as determined by an expert committee of the GoI and similar to the idea of living wages) is estimated to measure the extent of low pay in these self-employed workers. It is postulated that lowness of pay is the most severe in the bottom segment of these workers, namely Own Account Workers (OAWs). These are workers working without any hired labour. Therefore, the present paper limits itself to these workers only. It is shown that these workers constitute more than two-third of self-employed workers. There is a clear caste and gender dimension in composition of these OAWs. Of course, there are variations in urban areas as compared to rural areas. It is interesting to note that percentage of OAWs in principal status has risen in

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India during 2011–12 to 2019–20; denoting rise in full time work as per major time criterion. More than three fourth OAWs are below this TLE across all socio-economic groups. It has an important implication for labour movement and class relation. A distressed, fragmented, heterogenous and unorganised working class like these OAWs are least likely to offer any resistance to global capitalism unlike regular salaried employment or even casual employment in formal sector. It is argued that present emphasis on self-employment in India is a part of larger question of political economy of working class.

The world of work is changing rapidly especially in global South, resulting into changes in capital-labour relationship. Rising number of out-workers, increased informalization (Breman 1996, 2020) and growing precarity of jobs (Srivastava and Padhi 2020) are some of distinguishing features of this change. Work has shifted to homes of workers in the guise of self-employment leading to the rise of informal work through outsourcing. This is a new form of exploitation of workers that is multi-layered; where the thrust is on further lowering down of their already low pay/earnings. These are Own Account Workers (OAWs),[1] who are a petty producer and not an entrepreneur in the standard sense of the term. A substantial part of these own account workers is of workers pushed out of the factory system and rendered self-employed in informal sector, mainly operating from home with the help of unpaid family labour. Dunaway (2013) calls it self-exploitation as accepted by these workers to run their houses and provide a cheap labor army to capitalists particularly from the global South. This is further aggravated when these OAWs are in some sort of subcontracting relations as part of supply chains. In sharp contrast to factory wage workers who enjoy clear and direct employer-employee relationship with their hirers, in the case of these workers the employer-employee relationship becomes ambiguous and workers become further pauperised without realizing it. This has important implications for class relations and class struggle. Exploitation is sharper now. Working hours are lengthened, precarity is more severe, and there is always a downward pressure on earnings. These workers remain dependent on contractors with whom they are in a precarious working relationship and their earnings are often not enough for a family to escape poverty. Rather, there is further pauperization (Dunaway 2013).

1 Own Account Workers are defined as workers operating without any hired labor on a regular basis. These workers may be using unpaid family labor.

According to the employment surveys by the National Sample Survey Office (NSSO) in India more than half of the workers in the country are in self–employment[2] and close to 85 percent workers are informally employed. Despite the enormous size of self-employment in India (Basole 2019), there is little discussion on the minimum desirable remuneration of these workers. The self-employed comprise around 37.27 percent of the total employment share, around 75 million are working on their own account, and these are one-third of the non-farm labor force (Basole and Chandy 2019).

Kalleberg and Vallas (2018, 1) define precarious work as 'work that is uncertain, unstable, and insecure and in which employees bear the risks of work (as opposed to businesses or the government) and receive limited social benefits and statutory protections.' ILO (2011) further adds that precarious work is usually defined by uncertainty with respect to the duration of employment, multiple possible employers, or a disguised or ambiguous employment relationship, lack of access to social protection and benefits usually associated with employment, low pay, and substantial legal and practical obstacles to joining a trade union and bargaining collectively. While other aspects of precarity have been studied at length in literature, low pay, which is one of the reasons of growing precarity of employment, has been overlooked. It is a very important component of decent work convention and non-standard form of employment. While voluntary self-employment is a choice exercised by a worker over wage employment, involuntary self-employment is a compulsion emanating from either failure to secure wage employment, or the inability to work full time. A vast majority of OAWs are not a reflection of entrepreneurship, but a medium of sustaining in adverse conditions. Moreover, earnings of such OAWs are not pure labor earnings as these also include return on own resources and imputed value of unpaid family labor. With changes in the organization of production, many wage workers are forced to opt for self-employment under duress as a coping strategy and are classified as entrepreneurs; their work being regarded as a better form of work than wage employment. Such an understanding, sadly, does not take into account the levels of earnings of these workers. A large number of such self-employed workers have low earning levels; at times lower than the market wage rate. Earnings lower than the market wage rate means gradual depletion of assets. Thus, levels of earnings of such self-employed

2 NSS, Periodic Labor Force Survey (2019–20) reports that almost 53 percent workers are self-employed.

workers have to be a major policy concern, especially for countries with a large size of such OAWs.

So far, little was known about the levels of earnings of non-agricultural self-employed workers in India before 2017–18 due to the unavailability of data. Annual Periodic Labour Force Surveys (PLFS), started from 2017–18, collects information about monthly earnings of self-employed workers, unlike earlier Employment-Unemployment Surveys.[3] But, one does not know whether their earnings may be considered as adequate enough. There are three aims of this chapter: The first is to estimate magnitude of non-agricultural OAWs in India; second, to test whether their earnings may be classified as adequate enough; and third, to understand social characteristics of those earning below the defined benchmark of the analysis.

This chapter comprises five sections. The second section examines the concept of minimum wages and the discourse around it to draw out the framework for the present study. The third section is about data and methodology used. Fourth section deals with the spread of OAWs and changes observed between 2011–12 and 2019–20. Subcontracting is discussed in fifth section. The characteristics of low earning OAWs and their distribution across various categories are explained in the sixth section. The seventh section highlights role of gender and caste. The last section summarizes the findings and suggests policy corrections.

## 2 The Idea of Minimum Earnings or Wages

There is serious thinking about ensuring minimum wages to all workers regardless of their individual and household characteristics, location of work, and industrial classification. Different rationales have been proposed for different definitions of low pay. Broadly speaking there are three categories of low pay measures, namely; absolute, relative, and fixed proportion. Absolute measures are based on a household's requirement to overcome the income poverty threshold. Relative measures are based on the median or average wage of the economy. Fixed measures are based on the quintile distribution of the earnings of employees (Grimshaw 2011).

3 This used to be a large survey of the labor force which was taken up by NSSO every five years. The last survey was conducted in 2011–12. The present government revamped this survey and started an annual survey of labour force from 2017–18, which is known as Periodic Labor Force Survey (PLFS).

While fixed and relative measures are quite straight forward and have been used extensively for global comparison of low pay jobs (OECD 1996; Altman 2006), absolute measures vary in estimation parameters depending upon their uses, and objectives of research. Minimum wages are often statutory wages used in a country to protect exploitation of low paid workers; so these vary from country to country and are only used for country level studies (Anker 2011; Grimshaw 2011). Similarly, absolute wages are specified in national currency contingent upon the prices of the basket of goods and services needed to escape poverty (Grimshaw 2011). Living wages has been developed as another sophisticated measure incorporating the purchasing power parity of the basket of goods and services needed to buy, wage distribution in respective countries, hourly wages, and adjustment for family size (Anker 2005, 2006, 2011; Scott & Neumark 2003). The most commonly used benchmark for international comparison is the proportion of wage earners who earn less than two-thirds of the median wage. Some parameters that have been used for classification of low pay workers are minimum nutritional intake (traditional measure), food non-food prices required to escape poverty, food non-food expenses, developmental stages of countries, prevailing wages, median wage, family size, adult equivalent working member, hourly wages to include part-time workers, and median wages. Various combinations of these parameters are used in studies to estimate the size and distribution of low pay workers depending upon the objective and scope of the study and availability, quality, and comparability of data. Country specific factors may also play an important role in the incidence of low pay. A study of twenty OECD countries found that collective bargaining coverage, statutory minimum wages, and generous unemployment benefits helped reduce dispersion at the bottom of wage distribution (Lucifora, McKnight and Salverda 2005). Since this paper is estimating the earnings of OAWs in India across different groups, absolute low pay measure is found suitable. This measure is based on the 'Report of the Expert Committee on Determining the Methodology for Fixing the National Minimum Wage' (GoI 2019).

## 3 Data and Methodology

PLFS provides information on earnings of self-employed workers during last month on current weekly status (CWS) basis. OAWs are the largest component of self-employed workers (GoI 2021; Ghosh & Kumar 2021). Therefore, we focus

on OAWs only. Further, in order to derive pure wages, we have made the following adjustments in earnings reported by OAWs:

1. OAWs workers may be assisted by unpaid family labor. Therefore, whenever an OAW reports existence of unpaid family labor in household, reported earnings is reduced by 30 percent.
2. The standard interpretation of self-employment income is adopted whereby two-thirds of this income can be assumed to be labor earnings and one-third as returns to capital expenditure (Krueger 1999). Hence, the earnings reported as above is further reduced by one-third.

The income thus arrived is considered as pure labor earnings of OAWs. This is the income which a full time OAW receives as returns to his/her labor. But, due to the lack of any benchmark the lowness of earnings remains unclear; one does not know how low is a low. The National Commission for Enterprises in the Unorganized Sector (NCEUS) (2007) constructed a notional income based on floor wages. Mishra et al. (2019) used a notional income which is based on the actual market wage of a non-agricultural worker. Rani (2012) has constructed a benchmark based on household poverty. However, none of these methods are error free. So, this study has innovated yet another route to construct a benchmark level of income. The Expert Committee (GoI 2019) has recommended a living wage of Rs 375 per day for rural workers and Rs 430 per day for urban workers at prices of July 2018. The benchmark, hereafter referred as threshold level of income (TLE) for this chapter, has been constructed on the basis of these recommended wage rates.[4] Based on the benchmark of annual TLE, this chapter attempts to understand the lowness of earnings of OAWs in India. This paper uses unit data from Employment and Unemployment Survey (EUS), 2011–12 and PLFS, 2019–20 of NSSO. Since, earnings are not reported by EUS, TLE is computed for 2019–20 only.

## 4 Magnitude of Non-agricultural OAWs in India

Rural India has witnessed expansion in the non-agricultural sector and there has been a definite diversification away from agriculture (Chand et al. n.d.). The share of non-agricultural income is growing in rural economy. There has also been a marked growth in rural towns and urbanization (Mitra and Kumar 2015).

4 It has been converted into annual earnings with the assumption of 26 working days in a month. The annual TLE used for OAWs has been deflated by CPI-IW for year 2019–20 to arrive at comparable figure. It turns out that this adjustment for inflation means per day wage of Rs 403.10 and Rs 462.25 for rural and urban areas respectively.

Rural to urban migration has accelerated in recent times (Bhagat et al. 2009). Urban areas have become an important destination for rural labor (Basole 2019).

Rural males are moving away from agriculture or, out migrating, creating space for female workers in the rural economy. Some of these females have taken up agricultural work while others have taken up non-agricultural activities in rural economy (Tumbe 2018; Pattnaik et al. 2018; Desai and Joshi 2019). These self-employed OAWs operate at the bottom of the value chain and constitute the survivalist base of this pyramid (Kabeer 2012). Carr et al. (2010) observes that the broad bottom of the pyramid consists of mainly women home-based OAWs. Women in Asian economies, which are characterized by patriarchy and gender norms, have found it a better form of work despite very low earnings as it enables combining domestic duty with production. This could have been one of reasons for declining work participation of women in India (Andrés et al. 2017; Kannan and Ravindran 2019; Mehrotra and Parida 2017; Chatterjee et al. 2018). It could be a supplementary source of income for a part-time working woman.

Non-agricultural OAWs constitute around 30 per cent of total non-agricultural workers and 82 per cent of self-employed non-agricultural workers in 2019–20. Self-employed workers are as such slightly more than half of all workers. Table 6.1 clearly shows that there has been rise in share of OAWs across all social groups in rural as well as urban India during 2011–12 to 2019–20. This has important implications. Of late, a narrative has been built in India (to counter growing criticism of rising unemployment) that there might have been decline in wage employment, but self-employment is rising, and this augurs well for future of country as India is not producing 'job-seekers' but 'job-providers'. But, it is not told that this rise is in OAWs only, not in 'employer' category.[5] Moreover, if we learn from experience of developed economies where percentage of self-employment is very low, one need to distinguish between 'voluntary self-employment' and 'involuntary self-employment'. The observed pattern from Table 6.1 proves that there has been major rise in OAW during this period and it is a distressed category of worker in India which is explained in next section.

From the Table 6.1 we can see that the participation of women in labour market as OAWs is always lesser than the males, however the gap has decreased. It means the rise in female OAW is more than the male OAW. This might have

5 PLFS covers self-employment in three categories, namely own account worker (OAW), employer and unpaid family helper. OAW is a workers who works without hired workers with the help of unpaid family labour.

TABLE 6.1 Percentage of non-agricultural OAWs in non-agricultural self-employment, 2011–2012 and 2019–20

| | | 2011–12 | | 2019–20 | |
|---|---|---|---|---|---|
| | | **Rural** | **Urban** | **Rural** | **Urban** |
| Gender | Male | 84.9 | 77.6 | 89.4 | 78.6 |
| | Female | 62.5 | 64.5 | 73.1 | 70.2 |
| | General | 81.6 | 74.1 | 85.7 | 74.8 |
| Caste | OBC | 77.2 | 74.5 | 85.2 | 77.1 |
| | SC | 83.6 | 80.4 | 88.7 | 84.1 |
| | ST | 74.9 | 81.8 | 85.5 | 77.8 |

SOURCE: UNIT RECORD DATA OF EUS, NSS, 2011–12 AND PLFS, 2019–20

been seen as encouraging number, if the women are incorporated as well paid workers. But most of the time they remain concentrated in low paid work (discussed in next section). Hence, the observed rise in women OAW may not be a positive outcome. It is also important to note that a substantial part of self-employed women is unpaid family workers (Neetha, 2010). Deshpande and Sharma (2013) argues that there is a definite caste[6] dimension in the ownership of enterprises in India. But this needs to be qualified by the fact that upper or higher caste group (General) is leaving rural economy and moving toward urban economy, and the middle caste group (OBC–other backward castes) is occupying the vacant space in rural economy (Tripathi 2020). In fact, urban economy too is not insulated from the rising influence of OBC group. This is clearly visible in the political and economic outcomes in urban India. Yet, this process is stronger in rural than in urban India and ownership of land is the principal differentiator. That is why there is a marked rise in the percentage of OAWs among the OBC and decline in general (higher) caste OAWs in urban India from 2010–11 to 2019–20. These OAWs are primarily in manufacturing and wholesale, and retail trade with more than half of them being in the manufacturing sector, and close to one fourth of them being in wholesale and retail trade (Tripathi and Mishra 2021).

6 SCs, also called Dalits, are scheduled castes considered to be socially the most deprived class in the Indian caste hierarchy. STs are the scheduled tribes (indigenous people), OBCs are other backward castes considered as middle caste also, and 'others'/general are from the socially higher caste order.

## 5 Subcontracting

The literature from India views OAWs mostly as disguised wage workers, working in the informal sector, rather than financially better off entrepreneurs (Papola 1981; Breman 1996; Sainath 1996). Breman (1996) focuses on dependent relationships between owners of small own account ventures and larger employers or agents. These workers should not be seen as entrepreneurs. Rather, they are in a kind of exploitative relationship with large firms through subcontracting. The earlier form of subcontracting was based on 'patron–client' relationship. But, it is now much more institutionalized, supported by state policy, complex, and a multi-layered network. Surplus labor is available in global South and corporations have devised a complex system of subcontracting to exploit this (Suwandi 2019). Therefore, it is also important to know whether the distress of OAWs is associated with the type of subcontracting.[7] But, PLFS does not cover subcontracting and hence we do not have data to investigate it further. However, many other sources of information, like Enterprise and Unorganized Manufacturing rounds of NSS have captured this. Subcontracting is essentially a manufacturing centric arrangement. Enterprise data of NSS shows that most of subcontracted microenterprises (operated by single owner-operator) are in manufacturing. So, the level of distress in manufacturing is also the highest among industry groups. It is mainly unorganized manufacturing that is reported to be the second highest employment provider after agriculture.

The degree of subcontracting in the country is much larger than captured by the Indian data system. The direct relationship between the final buyer and OAW is non-existent. The former is unknown and invisible. It is the contractor who is mostly from the same community who is visible and embedded within a particular mode of production. These workers are mostly artisanal and engaged in low value products like *beedi* rolling, prawn peeling, home tailoring, beads making, embroidery, and so on (Mehrotra and Briggeri 2007). Their presence in the global South suits global capitalism which is faced with

7 Indian data system is experimenting with various methods to capture subcontracting. So far, it has been unable to arrive at a method to capture the complexity involved. That is why it has experimented in different rounds of Enterprise Survey and Employment-Unemployment Surveys of NSSO, and that makes comparison of different rounds impossible. Also, the sample size of subcontracted enterprises is small and further disaggregation makes it smaller. Therefore, these estimates may not be statistically valid as relative standard error becomes higher than 10 percent in many cases. While it is widely known that the extent of subcontracting is rising in India, the new labour force survey, PLFS, has completely ignored this.

a crisis of rising costs of production in the global North and finds it prudent to procure production from global South through GPNs. It finds it better to shift production to homes of workers instead of having a central production site. Therefore, it has always advocated labor flexibility. Standing (1999) argues that labor flexibility comprises four aspects, namely production or organizational flexibility, wage system flexibility, labor cost flexibility, and numerical flexibility. Sourcing production from home-based OAEs enables manufacturing companies to achieve all four forms of labor flexibility. This much celebrated labor flexibility becomes an instrument of further exploitation of labor. The subcontracting of production through multiple vendors means reduction of trade margins with additional layers. The final share of worker in value chain is minuscule.

OAE are a subcomponent of microenterprises and are the worst off section of microenterprises. Majority of these single worker operated enterprises fail to earn an amount which is equivalent to living wages. Expansion of GPNs across the global South has produced a large swathe of these OAEs through an intricate mechanism of subcontracting. Leather, apparel, tobacco, wood, and food products are classic sectors of exploitation of these workers by GPNs. These are mostly piece[8] rate activities which are always below the equivalent minimum wage for the sector (Pieper and Putri 2017; Zhou 2017) and fail to cover even production costs which means further extraction of surplus by capital and siphoning away resources of the labor. But, this is a situation where the exploited are worse off without exploitation (Basole et al. 2019) as they have nothing else to do other than keep on doing what they are doing. Thus, these workers are forced to opt for self-employment which is essentially involuntary and a coping strategy rather than a positive economic response; an already exploited class opting for further exploitation. Appropriation of surplus value is now combined with appropriation of unpaid family labor and assets of workers. This is not a choice but the only way out to survive – a clear case of adverse incorporation. Thus, contrary to popular perception that self-employment is a better form of employment than wage employment, majority of self-employment in India is distress driven. This perception fails to realise that OAWs are major component of self-employed workers, constituting 86 per cent in rural areas and 77 per cent in urban areas in 2019–20.

8 piece rate means paid according to pieces/units produced.

## 6 Levels of Low Earning of OAWs in India

The adjusted earnings of OAWs are tabulated across different categories for 2017–18.[9] The OAWs are working in a distressful condition wherein majority of them are not even able to earn threshold level of income (TLE). The distress[10] is severe in rural areas than urban area. An overwhelming 85 per cent male OAWs and 90 per cent female OAWs in rural areas are earning less than TLE. Equally shocking is the urban scenario wherein 75 per cent male OAWs and 82 percent female OAWs are earning less TLE. The same distress is observed across caste groups also. SC and ST OAWs are in more distressful conditions. Out of all industry groups, the distress is the most severe in manufacturing where 77 per cent in rural and 67 per cent in urban OAWs are earning less than half of TLE. In general, this distress is more acute in rural India than urban India (Table 6.2).

Most OAWs are essentially microenterprises. While the Compound Annual Growth Rate (CAGR) of GVA of non-farm microenterprises was nine percent, their employment increased by three million during 2010–11 to 2015–16 (Basole and Chandy 2019). Firms with one to three workers have lower productivity per worker than those with larger size. Around 75 million OAWs, one-third of non-farm labor force, have been forced into 'subsistence, necessity driven entrepreneurship as a result of lack of stable employment. These enterprises are unlikely to grow' (Basole and Chandy 2019, 9). It implies that there has been new addition of self-employed without much increase in their earnings and productivity. The possible reasons can be infrastructural constraints, demand for their products, non-payment of dues, etc. Typically, the highest number of OAWs is concentrated in the states of Uttar Pradesh and Bihar, which are dubious for poor and costly infrastructure, insecurity, and are supposed to constitute the poverty belt of India (Tripathi and Mishra 2021).

9 So far, we have used PLFS, 2019–20 for our analysis. But, the benchmark of TLE is constructed on prices of 2018 as suggested by GoI (2018). One option could have been to deflate it by prices of 2020, which involves many methodological questions. Further, PLFS, 2019–20 includes first three months of pandemic which is widely known to have drastically reduced earnings of working class. These two reasons persuade us to use PLFS, 2017–18 instead of PLFS, 2019–20 for estimation of OAWs working below TLE.

10 Here distress means earnings being lower than TLE.

TABLE 6.2 Percentage of OAWs below threshold level of earnings (TLE) across different categories, 2017–18

| | | Rural | | | Urban | | |
|---|---|---|---|---|---|---|---|
| | | <Half TLE | Half to TLE | >TLE | <Half TLE | Half to TLE | >TLE |
| Gender | Male | 48.1 | 37.6 | 14.3 | 37.2 | 38.6 | 24.2 |
| | Female | 86.7 | 3.0 | 10.3 | 78.8 | 8.7 | 12.5 |
| Caste | General/others | 63.8 | 21.3 | 14.9 | 47.8 | 27.2 | 25.0 |
| | OBC | 59.9 | 27.8 | 12.4 | 53.7 | 28.4 | 18.0 |
| | SC | 66.0 | 22.6 | 11.4 | 70.7 | 20.9 | 8.4 |
| | ST | 64.3 | 24.0 | 11.7 | 67.8 | 21.6 | 10.6 |
| Industry | Manufacturing | 76.4 | 14.1 | 9.6 | 67.4 | 18.9 | 13.7 |
| | Wholesale and Retail Trade | 49.7 | 36.3 | 14.0 | 42.2 | 36.0 | 21.8 |
| | Transportation & Storage | 32.9 | 45.0 | 22.1 | 21.3 | 55.6 | 23.1 |
| | Accommodation & Food Services | 52.6 | 39.2 | 8.2 | 40.4 | 42.3 | 17.3 |
| | Information & Communication | 60.1 | 13.5 | 26.4 | 39.2 | 26.1 | 34.7 |
| | Financial & Insurance | 1.7 | 49.1 | 49.2 | 20.2 | 36.4 | 43.5 |
| | Real Estate | 0.0 | 38.4 | 61.6 | 6.3 | 28.7 | 65.0 |
| | Administrative & Support Service | 54.0 | 28.7 | 17.2 | 19.0 | 43.8 | 37.3 |
| | Education | 76.6 | 10.8 | 12.7 | 64.8 | 19.5 | 15.7 |
| | Health | 5.2 | 62.0 | 32.9 | 11.4 | 23.1 | 65.5 |
| | Others | 46.0 | 35.5 | 18.5 | 44.3 | 29.6 | 26.1 |

SOURCE: PLFS, 2017–18

## 7 Women, Caste and Manufacturing

The discussion so far has shown that majority of OAWs in India continue to be in distress condition in 2019–20. The distress is acute in OAEs with particular characteristics such as sex, caste, location, industry and sector of enterprise. These are important factors in determining whether the OAW is earning above or below the threshold level of earnings (TLE). However, a significant point emerging from discussion above is that women OAWs, SC OAWs and manufacturing OAWs are worst sufferers.

The erstwhile factory workers have now become own account workers (OAWs) through the capitalist process of externalization of various costs of production to households (Dunaway, 2013). Majority of OAWs are working from home. GPN has shifted production to the homes of workers in form of OAWs in the guise of providing laborers an opportunity to cope with declining employment in the formal sector. Own account working at home, even with lower earnings, is ostensibly a better option than working in the urban informal sector in view of the associated additional costs of displacement and cost of living in urban areas, reducing reservation wage of working at home (Edwards and Hendrey 2002). Thus, working from home emerges as an option that saves commuting costs and minimizes the loss of joint household production (Kumar and Mishra 2019). And a significant proportion of women in India prefer to work as own account worker, which gives them flexibility in choosing work place and timing of work, without which they are compelled to opt out of the labor force. If fixed costs and loss of joint household production for working outside home goes up, women are likely to prefer working from home. Most of these OAWs operate at the bottom of value chain and are at the survivalist end of this pyramid (Kabeer 2012).

Women are the most exploited workers. Their higher level of exploitation is multi-fold. One, their earnings are always lower than their male counterparts; two, majority of unpaid family labour comprises women workers; three, home becomes a default choice in most of cases of own account women workers, which automatically means combining with domestic duty, and four, their work becomes further invisible (Dunaway 2013).

It needs to be noted that major part of unpaid family labour is constituted by women workers. Here OAW means a worker who is working without regular hired labour but may be using unpaid family labour. Here are two possibilities. Either unpaid family labour is converting into women OAW or women workers who were not in labour force are joining as OAW. We do not have any reason to accept these two possibilities. It is widely known that labour force participation of women is continuously declining in India. Hence, these two cannot be explanations for this. The earning data collected by PLFS is based on current weekly status (CWS) basis which is a based on shorter recall period. Also, this period is characterized by many economic shocks and there has been deceleration in economic growth and rise in unemployment. Mehrotra and Parida (2021) find rise in poverty during this period. Therefore, the only plausible explanation is that women are working as OAW (most probably home based) to supplement falling household income. Therefore, the result of declining female LFPR (measured on the basis of usual principal plus subsidiary) and rise in number of women OAWs below TLE (measured on the basis of CWS) are actually telling the same story, i.e., distress of women workers.

Caste has always been the differentiating factor in India. *Dalits* (SCs) have always been casual labour. Own account work requires some minimum amount of fixed capital; at least a place to work. With declining employment during this period (as casual work is one which is hit first), SCs have moved to own account work from casual employment. Reduction of expenditure on public employment programmes during this period, especially in rural areas, forced SCs to rely on own account work of low value.

Despite of tall claims of 'make in India', informal manufacturing remains a low value activity. Most of OAWs in manufacturing are in informal sector. This is a labour intensive segment of manufacturing. Demonetization and implementation of GST has had very damaging effect on this sector. A very substantial segment of informal manufacturing is in some or the other form of contractual relationship with supply chains. The low earnings of manufacturing are basically a manifestation of distress in informal manufacturing. Since more than half of workers in manufacturing are working in informal sector (who are most likely to be OAWs), this is only natural to expect that distress is sharpest in manufacturing sector.

## 8 Conclusion

Four tragically and typically important conclusions from the paper are that, one, own account work has increased, second the earning of OAWs is lower than that of a casual wage worker, third, women and SCs are still carrying the burden of patriarchy and caste discrimination respectively, four, the OAWs in manufacturing sector are the worst sufferers out of all industry groups.

Precarity of these OAWs in global South must be an important policy concern and the debate on low pay should include low earnings also, especially for countries in South Asia where majority of the factory workers are pushed to some or the other forms of self-employment. It is equally important that the OAWs get their rightful remuneration in the global South as much as in the global North. A study by Thomas and Jayaram (2020) reveals that women OAWs are earning as low as Rs Ten for stitching a handbag.

This has far reaching implications for capital – labor relationship and labor movement. Capital is no longer in any direct antagonistic relationship with labor; there are multiple layers in between, which are not easily classified in either category. Interaction between labor and capital is mediated through these layers. The character of agents in this middle layer is very amorphous, often vacillating between labor and capital. A substantial percentage of these agents are in fact labor itself, like a master weaver in handloom. The labor

mostly is a petty producer who might be having some characteristics of capital. This is most clearly evident in middle of the spectrum where a section of workers have both characteristics. In fact, this middle category primarily works as an agent of capital (especially in subcontracting), and it has also hijacked leadership of these workers. It has ensured that the possibility of classical type of class conflict is minimized. Also limited is the possibility of unionization of labor because of the heterogeneous and often conflicting class interests of labor. Therefore, conversion of erstwhile factory workers into OAWs has facilitated further extraction of surplus and decreasing share of labor in output. This has been made possible by appropriating limited available capital stock of OAWs, which means further weakening of bargaining power of labor. An assetless and unorganized self-employed labor is least likely to offer any resistance to further capitalist expansion. The rate of returns (earnings) of these self-employed workers are bound to go down further in a market driven economy, unless arrested by public policy and collective action which appears unlikely in the global South. This emphasis on self-employment is definitely weakening labor movement in the global South. It has been strikingly evident in India where the State has clearly shifted to a policy of reducing wage employment (which comes with different forms of social security) and raising self-employment. Many schemes like 'MUDRA',[11] 'Make in India' and 'Start up India' have been launched, arguing that the State is creating job creators not job seekers, without knowing that the type of self-employment which is being created by these schemes is simply aggravating the already observed distress of self-employed workers. Majority of self-employment in the country is involuntary and compulsion driven; it must not be confused with entrepreneurship.

Therefore, three important policy suggestions are proposed. First, it is urgent to ensure fair share for these OAWs in the value of a product through business policies that are accountable. The relationship between factories or contractors and OAWs should be brought under an accountable relationship framework by ensuring that living wages are equal to their contribution in the value of a product. Second, public provisioning for training, infrastructure, and market is required to improve the productivity of OAWs. Third, civil society organizations like Self Employed Women Association (SEWA), *Ajeewika*, etc. that have enormous potential in improving the collective bargaining of this neglected work force, can be promoted or roped in to accord a degree of formality and ensure a better deal for them.

11 Micro Units Development and Refinance Agency Ltd.

## References

Altman, Miriam. *Low wage work in South Africa*. Paper presented to the IZA/World Bank Conference on Employment and Development, in Berlin, May 25–27, 2006. (Pretoria, Human Sciences Research Council, 2006).

Andrés, Luis., Basab Dasgupta, , George Joseph, & Vinoj Abraham. *Precarious Drop Assessing Patterns of Female Labor Force Participation in India*. World Bank Working Paper (New York: World Bank 2017).

Anker, Richard. A new methodology for estimating internationally comparable poverty lines and living wage rates. Policy Integration Department, Working Paper No. 72. (Geneva: ILO, 2005.)

Anker, Richard. Living Wages around the World: A New Methodology and Internationally Comparable Estimates. *International Labor Review* 145(4) (2006): 309–38.

Anker, Richard. *Estimating a living wage: A methodological review. Conditions of Work and Employment Programme*, International Labor Office (Geneva: ILO, 2011.)

Basole, A. State of Working India, Available at https://cse.azimpremjiuniversity.edu.in/state of working India/ (Azim Premji University, October 2019.) Accessed on December 30, 2020.

Basole, Amit & Chandy, Vidya. *Microenterprises in India: A multi-dimensional Analysis*. Available at https://cse.azimpremjiuniversity.edu.in/wp-content/uploads/2019/10/GAME_APU_Microenterprises_In_India_Report_Oct_2019.pdf, accessed on December 30, 2020. (Azim Premji University, October 2019)

Bhagat, R.B., & Soumya Mohanty. "Emerging Pattern of Urbanization and the Contribution of Migration in Urban Growth in India." *Asian Population Studies* 5(1) (2009) 5–20. doi: 10.1080/17441730902790024.

Breman, Jan. *Footloose labor: Working in India's Informal Economy*. (Cambridge, UK: Cambridge University Press, 1996.)

Breman, Jan. "The Pandemic in India and Its Impact on Footloose Labor." *Indian Journal of Labour Economics,* (October 30, 2020) https://doi.org/10.1007/s41027-020-00285-8

Carr M., M.A., Chen, & J. Tate. "Globalization and Home-based Workers." *Feminist Economics* 6(3) (2010): 123–142.

Chand R., S.K. Srivastava, & Jaspal Singh. n.d. *Changing Structure of Rural Economy of India, Implications for Employment and Growth*. Discussion Paper. NITI Aayog. (New Delhi: Niti Aayog)

Chatterjee Esha, Sonalde Desai, & Reeve Vanneman. "Indian paradox: Rising education, Declining Womens' Employment." *Demographic Research* 38(31) (2018): 855–78.

Desai, Sonalde & Omkar Joshi. "The Paradox of Declining Female Work Participation in an Era of Economic Growth." *Indian Journal of Labour Economics* Springer; *The Indian Society of Labour Economics* (ISLE), 62(1) (2019): 55–71.

Deshpande, Ashwini., and Smriti Sharma. *Entrepreneurship of Survival: Caste and Gender of Small Businesses in India*. Working Paper No. 228 (Centre for Development Economics, Delhi School of Economics 2013.)

Dunaway, Wilma A. "Through the Portal of the Household Conceptualizing Women's Subsidies to Commodity Chains." In *Gendered Commodity Chains: Seeing Women's Work and Households in Global Production*, edited by Wilma A. Dunaway (Stanford, CA: Stanford University Press, 2013)

Edwards, L.N. & E.F. Hendrey. "Home-Based Work and Women's Labor Force Decisions." *Journal of Labor Economics* 20(1) (2002): 170–200.

Ghose, A.K., & Kumar, A. India's Deepening Employment Crisis in the Time of Rapid Economic Growth. *Ind. J. Labour Econ.* **64,** 247–279 (2021). https://doi.org/10.1007/s41027-021-00314-0.

Government of India. Report of the Committee on Determining the Methodology for Fixing National Minimum Wages. (New Delhi: Union Ministry of Labor and Employment, 2019.)

Grimshaw, Damian. *What do We Know About Low Wage Work and Low Wage Workers? Analysing the definitions, patterns, causes and consequences in international perspective*. (Geneva: ILO, 2011.)

ILO (International Labor Organization). 2011. *From Precarious Work to Decent Work: Policies and Regulations to Combat Precarious Employment*. (ACTRAV Bureau for Workers Activities, ILO, Geneva: 2011.)

Kabeer, N. *Women's Economic Empowerment and Inclusive Growth: Labor Markets and Enterprise Development*, SIG Working Paper 2012/1, IDRC/CRDI (Ottawa: International Dervelopment Reserch Center, 2012.)

Kalleberg, Arne L. & Steven P. Vallas. ed. *Precarious Work. Research in the Sociology of Work*. Vol. 31: 1–30. (Bingley, UK: Emerald 2018.)

Kannan, K.P. & G. Raveendran. "From Jobless to Job loss Growth." *Economic and Political Weekly* 54(44) (2019).

Krueger, Alan B. "Measuring Labor's Share." *American Economic Review* 89(2) (1999): 45–51.

Kumar, Manik & N. K. Mishra. "Determinants of Home-based Work in Non-Agricultural Sector of India." *Indian Journal of Labour Economics*. (2019) 62:451–472, https://doi.org/10.1007/s41027-019-00181-w

Lucifora, Claudio. Abigail McKnight, &Wiemer Salverda. Low wage Employment in Europe: A Review of The Evidence, *Socio-Economic Review* 3(2) (2005): 259–291.

Mehrotra, Santosh. & Biggeri, Mario. *Social Protection in the Informal Economy: Home-based Women Workers and Outsourced Manufacturing in Asia*, Papers inwopa02/24, Innocenti Working Papers. (2002), Also Available at https://ideas.repec.org/p/ucf/inwopa/inwopa02-24.html, Accessed on December 30, 2020.

Mehrotra, S. & Jajati. Parida. "Why is the Labor Force Participation of Women Declining in India?" *World Development* Vol. 98 issue C (2017): 360–380.

Mishra, N.K. Tulika Tripathi, & Manik Kumar. "Self-Employment or Self-Exploitation: A Case of Home-based Own Account Workers/Enterprises in India." Paper presented in RDW Conference, ILO, Geneva. (2019)

Mitra, Arup and Rajnish Kumar. "New Patterns in Indian Urbanization: Emergence of Census Towns." *Environment and Urbanization Asia* 6(1) (2015): 18–27.

National Commission for Enterprises in the Unorganised Sector (NCEUS). *Report on Conditions of Work and Promotion of Livelihood in Unorganized Sector*. (New Delhi: Government of India and Academic Foundation, 2007.)

Neetha N. "Self Employment of Women: Preference or Compulsion?" *Social Change* 40(2) (June 2010): 39–156.

OECD. "Earnings Inequality, Low-paid Employment and Earnings Mobility." *Employment Outlook* (Paris: OECD Publishing, 1996.) 59–108.

Papola, T.S. *Urban Informal Sector in a Developing Economy*, (New Delhi: Vikas Publishing House Pvt. Ltd., 1981.)

Pattnaik, Itishree, Kuntala Lahiri-Dutt, Stewart Lockie & Bill Pritchard. "The Feminization of Agriculture or the Feminization of Agrarian Distress? Tracking The Trajectory of Women in Agriculture in India." *Journal of the Asia Pacific Economy* 23(1) (2018): 138–155. doi: 10.1080/13547860.2017.1394569

Pieper, A. & P. Putri. "No Excuses for Homework: Working Conditions in the Indonesian Leather and Footwear Sector." In *Informal Economy Revisited: Examining the Past, Envisioning the Future* edited by Martha Chen and Francoise Carre (ed) (London: Roultedge, 2020.) Also available at http://laborbehindthelabel.net/wp-content/uploads/2017/03/2017-08-No-excuses-for-homework.-Working-conditions-in-the-Indonesian-leather-and-footwear-sector.pdf (March 2017)

Rani, Uma & Patrick Belser. "Low Pay among Wage Earners and the Self-employed in India." *International Labor Review* 151(3) (2012): 221–42.

Sainath, P. *Everybody Loves a Good Drought*. (New Delhi: Penguin Books, 1996.)

Scott. Adams, and David Neumark. *Living Wage Effects: New and Improved Evidence*. NBER Working Paper No. 9702. (Cambridge, MA: National Bureau of Economic Research, 2003).

Srivastava, Ravi & B.K. Padhi. *Collapse in Wage/Salary Income Growth in India, 2011–12 to 2017–18*. Working Paper WP 01/2020, Institute for Human Development (Delhi: IHD, 2020)

Standing, G. "Global Feminisation Through Flexible Labour: A Theme Revisited". *World Development,* Elseveir, Vol 27 (3) (March, 1999): 583–602 Also Available at https://ideas.repec.org/a/eee/wdevel/v27y1999i3p583-602.html, accessed on August 26, 2020

Suwandi, Intan. "Labor Value Commodity Chains." *Monthly Review* 71(3) (July 1, 2019), Also available at https://monthlyreview.org/2019/07/01/labor-value-commodity-chains/ accessed on September 24, 2020.

Thomas, Cenny & Nivedita Jayaram. 2020. "Pandemic Crisis: Migrant Home-based Women Workers Work Eight Hours/Day for Rs 10–15." *Indiaspend.com* (July 23, 2020.) https://www.indiaspend.com/pandemic-crisis-migrant-home-based-women-workers-work-8-hours-day-for-rs-10-15/, accessed on October 19, 2020.

Tripathi, Tulika. "Labor mobility in Historical Perspective from East U.P., South U.P. and North Bihar: Contours of Changes and Continuity. In *Development Challenge of India after Twenty Five Years of Economic Reforms,* edited by N.K. Mishra. (New Delhi: Springer, 2020).

Tripathi, Tulika, and Nripendra Kishore Mishra. " Precarious Self-Employment in India: A Case of Home-Based Own Account Enterprises", *Journal of Labor and Society* 24, 1 (2021): 133–162, doi: https://doi.org/10.1163/24714607-20212005

Tumbe, Chinmay. *India moving*: *A History of Migration*. (New Delhi: Penguin India, 2018.)

Zhou, M. *Pakistan's hidden workers: Wages and Conditions of Home-based Workers and the Informal Economy*. (Geneva: ILO, 2017).

CHAPTER 7

# The labour process and informal wage labour in Karnataka's automotive sector

*Danisha Kazi*

## 1 Introduction

This chapter examines the expansion of informal wage labour in India's automotive sector through the analytical lens of the labour process. Drawing on field research in Karnataka's automotive and auto components sector during a period of labour market reforms. Taking a labour process perspective requires analysis at different levels of the economy, linking the firm level with the broader socio-economic forces at play. This demonstrates how differentiation of the workforce emerges from the way in which capital accumulation proceeds and the critical role of on-going capital-labour struggles. At the firm level, the division of labour is augmented through the adoption of technology, organisation of production, disciplining workers, and on-going capital-labour struggles. Firms actively reshape the composition of the workforce to restrict the bargaining power of labour. This has resulted in a considerable shift towards informal wage labour within the organised workforce. There is also a growing preference for non-unionised rural and semi-rural workers and female workers, a dynamic observed throughout the automotive supply chain. The asymmetric balance of power between capital and labour and the state's role in institutionalising a flexible labour regime are critical forces shaping capital accumulation, with implications for the structure of the workforce. Finally, this chapter reveals a new location of labour discontent in Karnataka's automotive sector, with rising capital-labour struggles within the organised sector since the late 2000s.

India's shift to higher growth is commonly attributed to the gradual opening of the economy in the 1980s, cemented with formal liberalisation in the early 1990s. Despite reforms, the Indian economy has observed relative stagnation of manufacturing, jobless growth and rising informalisation. A salient feature of Indian growth story is the breakdown in the relationship between employment and output growth (Basole et al, 2018). The post reform period is marked by a discernible trend towards informal wage labour in the formal sector workforce. Economy wide, more than 80 per cent of the workforce is

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based in the informal sector and over 90 per cent is in informal employment (Murthy, 2019:3). The manufacturing sector dominates the share of non-agricultural employment in the informal sector accounting for 76 per cent of all workers both rural and urban (Chandrasekhar, 2017). While in the formal manufacturing sector the share of contract workers in total employment has increased significantly from 15.6 per cent in 2000–01 to 36 per cent by 2017–18.[1] Most studies on informal labour have emphasised external forms, such as subcontracting and outsourcing. However, this study looks at the period from the 2000s onwards in which informal labour internal to the firm has dominated the political economy of industrial labour.

The mainstream perspective based on neoclassical economics attributes expanding informal employment to a lack of labour market flexibility (LMF),[2] a consequence of the rigid labour laws that govern the formal sector. However, this remains an inadequate explanation, as informalisation of the organised workforce has accelerated during a period in which labour regulations have been dismantled under the guise of industrial restructuring and investor friendly industrial policies (Nagaraj, 2004). Even Indian states considered as having more flexible labour regimes have observed a high degree of informalisation of the organised workforce. In a broader context, the scale of surplus and underemployed labour indicates a growing crisis for labour and its reproduction (Bernstein, 2007). A rough estimate puts the figure of surplus labour at 117 million of working age population. With a further 12 million people entering the workforce every year, 60 per cent of the working age population is below 35 (Ghose, 2016). This suggests that the standard policy stance which assumes LMF is necessary or sufficient to reverse the trend of informalisation in the organised workforce is misguided.

This chapter examines the trend of expanding informal wage labour within the organised workforce through the analytical lens of the labour process. Drawing on fieldwork conducted at the firm level within Karnataka's automotive and auto components sector in 2014. The labour process is examined in terms of automation and technology, discipling of labour, composition of workers, work intensification, and the structure of the supply chain. This demonstrates how differentiation of the workforce emerges from the way in which capital accumulation proceeds.

The next section provides a brief note on fieldwork methodology. Section 3 offers a brief account of the national employment scenario in the context of

1 Annual Survey of Industries data on contract workers from www.Indiastat.com.

2 Besley, T. & Burgess, R. (2004), 'Can Labor Regulation Hinder Economic Performance? Evidence from India', The Quarterly Journal of Economics, *119*(1), 91–134.

India's liberalisation and labour deregulation reforms. Section 4 details the concept of the capitalist labour process and examines key dimension of the labour process in the automotive sector, including technology, work intensification, changing composition of the workforce and feminisation in the Auto Supply Chain (ASC). It is argued that automotive firms reduce the bargaining power of labour through augmenting the division of labour and fragmenting the workforce into informal wage labour. This perspective emphasises that conflicts between capital and labour are critical to understanding differentiation of the workforce in contrast to mainstream theories which emphasise the efficiency motives of the firm. The level of contract labour itself is found to be higher than aggregate data reports. For lead automotive firms, this was between 50 and 70 per cent, and for Tier 1 suppliers between 60 to 90 per cent. This suggests a considerable blurring of lines between regular and non-regular workers in the division of labour. At the same time, large differentials remain in terms of wages, working conditions and training between regular and non-regular workers. The study also demonstrates that firms' hiring practices are reshaping the internal workforce through a preference for non-unionised workers from rural and semi-rural areas, and female workers. A dynamic observed in the wider social division of labour, throughout the ASC from the top down and bottom up. Finally, section 5 presents a new location of labour discontent observed across Karnataka's automotive sector. This is contrary to widely held perceptions of Karnataka as an investment-friendly state with a docile labour force. It is argued that informalisation of labour is a critical locus of on-going capital-labour struggles both within the firm and in the ASC.

## 2 Methodology

This study presents findings from fieldwork conducted in Karnataka in 2014. The main locations of fieldwork were Bengaluru city (Bangalore) and outer or rural Bengaluru where the bulk of multinational automotive and components firms have become established in the state. Both semi structured interviews and an enterprise-based survey were conducted in a sample of five lead automotive firms, referred to as Original Equipment Manufacturer (OEMs) and 12 tier 1 supplier firms. A total of 69 interviews and 49 surveys were conducted across sample firms, state level officials, trade union officials, business associations and relevant experts. The sample includes a mix of domestic and foreign-owned largescale and medium sized firms. OEMs are coded as O1–O5, and Tier 1 firms are numbered T1–T12. OEMs cover two-wheelers, passenger vehicles and commercial vehicles (trucks and busses). Tier 1 firms

cover a range of auto component firms some directly integrated with OEMs and others which supply to multiple OEMs. A few Tier 1 firms are medium to small scale and focus on the replacement market for auto components. All sampled firms fall under the organised sector. This fits with the purpose of this study to examine the growing incidence of informal wage labour in the organised workforce.

## 3 Liberalisation and Informal Wage Labour in the Organised Sector

Despite accelerated growth since the 1980s, the Indian economy continues to be plagued by relative industrial stagnation and jobless growth in the formal manufacturing sector. This is the content in which growing informalisation of the organised workforce is observed. From the 1980s to the mid 2000's, there have been periods of employment growth, decline and stagnation in the manufacturing sector which has also varied by sub sectors. The net result is one of overall jobless growth, between 1981–82 and 2004–05; the average growth rate of manufacturing gross value added (GVA) was 7.4 per cent while employment growth was a mere 0.8 per cent (Kannan and Raveendran, 2009: 84). Moreover, since the mid- 2000s the uptake in employment growth in the manufacturing sector has been almost exclusively informal in nature (Figure 7.1). The growth rate of total workers was around 5 per cent per annum between 2004–05 and 2016–17. Workers hired directly grew on average by 3 per cent per annum and contract workers at 7 per cent per annum for the same period. Despite liberalisation and labour market reforms, informalisation in a myriad of forms both internal and external to the factory has expanded. While the small-scale

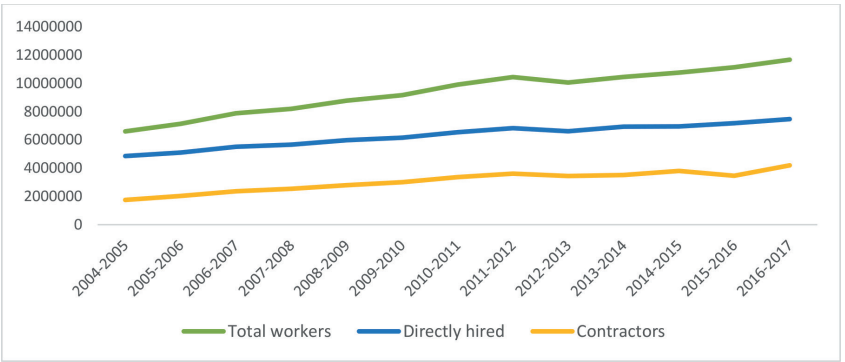


FIGURE 7.1 Pattern of employment in organised manufacturing at 2-digit industry level, 2004–05 to 2016–17

SOURCE: ANNUAL SURVEY OF INDUSTRIES (ASI) DATA

sector is typically associated with informal employment, it is intimately linked with production processes and labour relations that generate profits in formal large-scale enterprises.

Informal labour constitutes 93 per cent of the total labour force across all sectors across both the informal and formal sectors. Casual employment in organised enterprises increased from 37.8 per cent of total organised sector employment to 46.6 per cent during the period 1999–2000 to 2004–2005, indicating a substantial restructuring of employment relations (NCEUS, 2009: 14). This figure is estimated to have further increased by 2009–2010 to 57.8 per cent (Mehrota et al, 2012).[3] A key finding from fieldwork in Karnataka's Automotive sector, is that official labour data seriously underestimate the levels of informal and casualised labour on the factory floor. As such, more detailed case study research narrowing down on specific sectors, regions or value chains is invaluable.[4]

Market reforms initiated in 1991–92, following a balance of payments crisis, focused on trade and industry to shift the economy towards export orientation and encourage greater private and foreign investment. India, during 1950–1980 was considered one of the most highly regulated economies in the world. The first wave of reforms is well-documented, dismantling the large maze of regulations and controls often referred to as the licence raj (Ahluwalia, 2002). However, labour market reforms have remained largely untouched until recently. This has remained a key battleground in policy discourse since the 1990s, especially given the relatively poor performance of the industrial sector and weak employment generation. The neoliberal proponents have argued that reforms have been too gradual, held back by vested interests such as trade unions. This position is reflected in the orthodox literature such as the Besley and Burgess study (2004)[5] which advocate for widespread labour market deregulation to unleash manufacturing growth and employment. By contrast, there is a large critical literature illustrating a high degree of de facto flexibility in India's labour market. This is observed in decades of industrial restructuring, widespread use of voluntary retirement schemes (VRS) in the private sector, and expanding contract labour (Nagaraj, 2004).

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3 Mehrota et al (2012: 66, table 6) estimate a 20 per cent increase in informal employment in the formal sector from 37.8 in 1999–2000 to 57.8 per cent by 2009–2010. Over the same period, formal sector employment in total employment fell by 20 per cent from 62.2 per cent to 42.2 per cent. This refers to the wider category of industry which includes mining and construction and manufacturing.

4 For example, Mezzadri (2008, 2010) on the garments sector and Barnes et al (2015) on contractors in the automotive sector.

5 See also Fallon and Lucas (1991) and Ahsan and Pagés (2009).

The Indian case reflects the deep political ramifications of growth without employment. A surge of right-wing nationalism, based on caste and religious communal violence, has emerged with the rise of the Bharatiya Janata Party (BJP) to national dominance and promises of replicating the Gujarat model of high growth across the country (Bardhan, 2018).[6] The Modi government's landslide victory in 2014 was boosted by election promises to create 10 million jobs a year and push through the labour flexibility agenda. During the 2019 elections, Modi attempted to shift the emphasis from formal employment to include informal jobs in employment statistics.[7] The Government's Labour Reform Bill consolidates 29 central laws into four codes,[8] the Wage Bill code was passed in 2019 and the three remaining were passed in parliament in 2020. The Industrial Relations Code combines laws on trade unions, industrial working conditions and industrial disputes. Several contentious reforms have now been passed, this includes increasing the threshold of the Industrial Disputes Act (IDA), which requires firms to seek prior permission to fire workers from 100 to 300 workers (Sarma and Sunder, 2020). Additionally, recognition of trade unions and collective bargaining has been further eroded. For example, in a firm with more than one trade union, only one can be recognised as a 'negotiating union' in resolving disputes. The negotiating union must have the support of 75 per cent of workers on the rolls of the company and if not, then the government will determine a negotiating council (Paliath, 2020). Effectively this places severe restrictions on collective bargaining and seeks to fragment union power. Finally, laws relating to the use of contract workers have been systematically eased at both state and national level. The labour movement has reacted to the government's assault on labour laws by organising a series of general strikes between the 10 major trade union federations under the banner of the Joint Committee of Trade Unions (JCTU) in 2015, 2016, 2019 and 2020. The 12-point charter of demands include the end to contract labour, and payment of equal wages and benefits to all workers (Chattopadhyay and Marik, 2016).

The above discussion highlights the on-going political and economic conflicts that liberalisation has unleashed. Overall, the post reform period is characterised by continuation of the historical economic, political, and social

6 Bardhan (2018), *"Gujarat model of hate is evident everywhere",* The Telegraph, India. *Available at:* https://www.telegraphindia.com/india/gujarat-model-of-hate-is-evident-everywhere-economist/cid/1333359.

7 Nanda (2018), *"Job creation still a challenge after four years of Modi govt"*, Livemint, May 25th, 2018.

8 The four codes include: (1) The Industrial Relations Code; (2) The Occupational Safety, Health and Working Conditions Code; (3) The Social Security Code; and (4) The Wage Bill Code.

inequalities between and within Indian states. The response of the neoliberal state and multilateral institutions has been to promote greater state level competition to attract private investments. A key example is that of the relocation of Tata Motors plant for the Nano 'people's car' from Singur in West Bengal due to intense opposition from uprooted farmers to Gujarat in 2008. Modi the then state leader of Gujarat wooed Tata Motors by providing cheap land, large concessions, and a 'trouble-free' labour force.[9] This illustrates the significant leverage of private capital in determining the way in which capital accumulation is proceeding with implications for capital-labour relations and on-going workers' struggles.

## 3 The Capitalist Labour Process

This section outlines the analytical framework of the labour process which is adopted to examine the trend towards informal wage labour in the organised workforce. The capitalist labour process is a Marxian concept that examines the production process from the perspective of the class relations of production. This articulates a method for examining differentiation of the workforce, heterogeneous labour relations and the bargaining power of labour, which are understood to emanate from the way in which capital accumulation proceeds. It differs from mainstream accounts of the production process in two key aspects. Firstly, the role of labour in the production process is not limited to a technical relationship between inputs and outputs; secondly, the process is inherently conflictual. The labour process is conditioned by social and historical forces rather than driven purely by technical considerations. It provides an analytical tool to examine how class and social forces evolve through on-going conflict, how production is organised, the workforce is differentiated, and technology employed. This occurs internally within the firm and externally in the wider society across all production.

Marx draws a distinction between labour-power and labour. Labour-power or the capacity to work is purchased by the capitalist for a wage. This is an exchange unlike other market exchanges, as it takes place in advance of production and not in the market for exchange in which all other commodities are bought and sold (Fine, 1989: 175). Labour-power in use is labour, extracted by the capitalist

9 Jaffrelot, C., (2018), "How Narendra Modi brought industrialists to Gujarat (and cut many corners in the process)", Scroll-in, January 4th. Available at: https://scroll.in/article/907850/how-narendra-modi-brought-industrialists-to-gujarat-and-cut-many-corners-in-the-process.

during the production process, which gives rise to surplus value. (Tinel, 2009: 3). Given the bargain over wages is agreed in advance of actual labour extracted in production, the capitalist is in a position of privilege, to elicit greater effort beyond the labour power originally purchased. More precisely, "*these relations are not specified in the contract between the buyer and the seller. They are not apparent in the sphere of circulation but reside in the hidden abode of production*" (Tinel, 2009: 3). Therefore, the production process where surplus value is generated, is mediated by on-going struggles between capital and labour.

A further distinction is made between the social division of labour and manufacturing division of labour. The social division of labour relates to division across all production in society which creates differentiation in the workforce across sectors, professions, gender, skill levels and even what constitutes work. The manufacturing division of labour relates to within the capitalist firm and the ways in which workers are allocated to tasks which are subdivided into smaller and simplified tasks (Tinel, 2009). The division of labour and its relationship to capital-labour struggles in production is concealed in the creation of a large proportion of unskilled labour. This increases the competition amongst workers who are easily replaceable from a surplus pool of workers that depend on capital for their reproduction. Placing a downward pressure on the bargaining power of labour within the firm and throughout the ASC. The social division of labour in this study is understood in terms of the wider ASC. As capital accumulation proceeds, there is also a need for skilled workers to create machines and extract greater effort from workers. There are opposing tendencies towards both deskilling and upskilling, and the internal workforce is differentiated along such lines. The process is not static, as expanding surplus value means continuous renewal of the methods through which capital confronts labour in production. The socially necessary labour time is reduced where a greater portion of unskilled workers are hired as tasks become more simplified, leading to a reduction in the value of labour power and increasing surplus extraction. Tinel (2013: 267) notes, for Marx, this is not a means to increase productivity but a means to reduce the value of labour power and the bargaining power of workers. The role of technology in the labour process evolves over time and is not exogenously given but socially produced within a given historical context.

Application of the labour process to a case study of the automotive sector involved examining aspects such as the adoption of technology, the balance of capital and labour-intensive techniques in production, use of overtime and work intensification, blurring of permanent and non-regular workers on the assembly line, and on-going capital-labour struggles.

### 3.1 *Technology and Automation on the Assembly Line*

Major OEM factories such as Toyota Kirloskar Motors (TKM), Honda, Maruti Suzuki are all highly automated across sub assembly sections of press, paint, casting, and welding. Robots operate alongside workers throughout the factory and technology is employed in direct production, maintenance, and real time analytics. The body and assembly sections are more labour intensive, and this is where most workers are deployed.

A key implication of increased automation and widely seen across the automotive sector, is restructuring of the workforce. This takes the form of a growing proportion of informal wage labour within the firm. Typically, permanent workers are not replaced following natural attrition or a hiring freeze. While contract workers and other forms of temporary workers are hired in greater numbers.

Most firms interviewed reported at least one episode of expansion, during the period 2009–10 to 2013–14, such as a new plant, introduction of a new product or upgrading technology. The impact of automation on workers in terms of the division of labour is characterised by significant blurring of job roles between regular and non-regular employees and greater work intensification across both categories. The existing workforce is used more intensely during an expansion and an increase in shifts from two to three is a common strategy. This is followed by rotating workers on different tasks and increased use of contract labour. Another aspect of automation relates to the production system such as real time maintenance, monitoring and data analytics. These effectively reduce production times and waste in terms of more precise timing and quantities of component inventories.

In large scale OEMs the press shop is fully automated. Workers are involved in carrying out inspections and intervene to fix any defects on the spot. The number of workers is declining at this stage, to around 40–50 workers per shift.[10] When production targets are intense and multiple press machines active, extra workers are deployed to ensure the flow of production is maintained.[11]

The weld shop is considerably automated but still requires skilled workers to perform welding of small parts and inspections. OEMs interviewed deploy up to 400 workers across all shifts. The skill levels required for welding to achieve high quality finish to joints and switch between different techniques, is learned on the job which is increasingly difficult as the composition of the workforce is radically casualised. Firms described a lack of skilled workers

10 Plant manager at O3.

11 Chief Executive (O1) stated machines can go wrong so workers are still needed to ensure defects are minimised and the flow of production can be maintained or speeded up.

as a serious bottleneck.[12] This is a clear consequence of the internal flexibility of labour and reliance on informalised workforce which receives little to no training on the job. This exposes a serious contradiction in mainstream economic discourse on LMF which considers it efficient to reduce costs of labour. However, capital-intensive production techniques require skills which are sacrificed to secure a reduction in the value of labour power and increase surplus extraction.

Some parts of the production line remain labour intensive. For example, the assembly shop is where all the parts of the vehicle are fitted and is made up of smaller sub assembly lines with an average of 500 workers across all shifts. Vehicles will pass through on a conveyor belt with a large matrix to indicate the fitting requirements of the model. The complexity, precision, and variation of work on the assembly line means that the labour-intensive nature remains necessary. Further downstream, firms supplying Tier 1 firms or producing generic parts display a greater technology gap and are therefore even more labour intensive. While tasks including inventory, packaging, loading, and stocks rely much more on manual labour.[13]

Automation has resulted in some parts of the assembly line downsizing their workforce, but workers are redeployed to more labour-intensive sections. It has also played a critical role in augmenting the composition of the workforce into informal wage labour. As more tasks are broken down and reconstituted as simplified this has blurred the line between permanent formal workers and informal workers. The effect is to reduce the value of labour power which is purchased in advance of production and then to extract greater work effort from labour in the production process. This enables greater surplus extraction and puts a downward pressure on the bargaining power of labour. The impact of technology is not discrete but as discussed in the next section has a continuous impact on how the division of labour is adapted in the organisation of production.

### 3.2 *Organisation of Production*

The integration of India's automotive sector into Global Production Networks (GPNs) began with joint ventures between foreign and indigenous companies established in the 1980s and accelerated since liberalisation.[14] This has entailed

12 Business Association interviewee.

13 Included firms T4, T6, T7, T9–11.

14 However, the successful emergence and growth of India's indigenous automotive sector including Tata Motors and Maruti Suzuki, has importantly been attributed to

widespread adoption of the post Fordist lean manufacturing system[15] into the Indian context with significant implications for labour. It has been strongly associated with the expansion of informal wage labour and weakening of the bargaining power of labour and trade unions within the factory (Jha and Chakraborty, 2014).

The use of overtime and work intensification are common methods used in adapting the labour process and augmenting the division of labour. Nagaraj (1989) reported a high degree of work intensification in a study of Bangalore's industrial sector during the 1980s. Similar reports are noted in more recent studies of the automotive sector (Bajpai et al., 2019; Kerswell and Pratap, 2015). This has been a critical point of contestation between workers and management on the shop floor. For example, expanded output targets at TKM between 2000 and 2006, led to four strikes and two lockouts over wages and working conditions (Majumdar, 2006). All firms sampled in this study reported increasing shifts and use of compulsory overtime for all types of workers including contract labour and trainees.

Under lean manufacturing production there is continuous effort to augment the division of labour through work intensification. One strategy is that of reducing the *takt time* which refers to the time available for production divided by units of output demanded. Management use this formula to isolate and minimise any non value-added activities such as toilet breaks, break times, set up and maintenance or switching between shifts. Thus, the same task is performed by same number of workers or fewer workers for less time. Supervisors will also push for zero defects and for workers to shift seamlessly between different models of specification regardless of type of worker or level of training (Bajpai et al., 2019).

Maruti Suzuki in the Northern automotive belt reduced its takt time to a minimum of 50 secs in 2011. This was a feature of severe strikes that broke out in 2012 when management attempted to reduce it further to 48 seconds. It was reported that workers toilet breaks were limited, movement around their station and break times reduced from 10 to 7 minutes to minimise any non-value-added activities (Sethi, 2016). Similarly, TKM had cut its takt time to 67 seconds by 2011 (Table 7.1). Since the 2006 lockout at TKM, the management had agreed to union demands for appropriate relief workers on lines to

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the state level support under the earlier state led industrial policy regime as opposed to liberalisation per se (Khan, 2010).

15 Development of lean manufacturing is traced to Toyota Motor Corporation and refers to the elimination of all non value-added activity within an organisation without the need for additional resources (James and Jones, 2014).

TABLE 7.1 Takt time across major OEMs between 2005 and 2011

| | Takt time 2005 (seconds) | Takt time 2011[a] (seconds) |
|---|---|---|
| Ford India | 282 | – |
| Hyundai | 112 | – |
| Maruti Suzuki | 90 | 50 |
| Tata Motors | 109 | – |
| Honda | – | 120 |
| Toyota Kirloskar (TKM) | 87 | 67 |

a 2011 figures drawn from various reports

SOURCE: DAS AND GEORGE (285)

support heavy workloads. In 2014, during another lockout it was reported that pressure to reduce the takt time were made by speeding up the mobile production platform which cars move through on the assembly line.[16] Workers would just be expected to keep up with the speed.

Firms surveyed indicated the requirement for workers to be adaptable to different tasks and to meet targets with zero defects. "*These standards are set globally, and Indian workers are not used to the demands of modern industry*".[17] Automation allows firms to refine supervisory practices, monitor effort and improve quality control of the product. Workers are monitored and disciplined on the shop floor in numerous ways which are built into the assembly line. Systems are in place to collect data and feed back to workers immediately on signboards above their station. Linking performance to production targets is used to intensify work performance. This is a core aspect of the Toyota Production Systems (TPS) and Kaizen meaning 'continuous improvement', which are practices that have diffused throughout the industry. Data collected is also fed back to create daily detailed worksheets which control the movements of workers including breaks.[18] The fear of dismissal for poor performance hangs over workers all the time.[19] For example, the system of quality control requires workers directly stop the assembly line when a defect is spotted. They will then fix the problem on the spot or indicate the problem to be fixed at the next station. The system monitors the time a worker takes to carry out the task and feeds back to

16 Trade Union official TU5.
17 T1 interview of senior manager.
18 Senior manager at firm O4.
19 Union official TU2.

the team leader. Such data is included in production efficiency targets (PEFF) for each worker and reveals any non value-added activities. Even the duration of the stoppage is monitored and displayed on signboards above the station of the worker as time lost during the shift. The intensifying of conditions under which workers perform tasks is applied equally to both contract and permanent workers who work shifts of 10 to 12 hours daily, with overtime combined into their normal eight-hour shift. Contract and trainee workers are obliged to meet the same targets as permanent workers while paid significantly less. A union official stated *"contract workers are treated very poorly. Often trainee workers who do regular training have to leave the assembly line and the whole production is dependent on contract workers".*[20] An endogenous feature of the ASC is the abundant supply of low wage labour, drawn from rural and semi-rural areas.

"*Some workers travel two or more hours either way for work at these factories. The preference is to recruit young males from rural areas as they can be moulded and are replaceable. Many see this as a steppingstone to permanent position, but it is unlikely. Some have been contract workers for several years*".[21]

Continuous efforts to shorten takt times has involved harsh disciplining of workers to extract greater work effort. The impact on workers is clear from a study of TKM workers which reported a catalogue of physical and mental health issues (Das and George, 2006: 289).

### 3.3 *The Permanent World of Temporary Labour*

The augmentation of labour relations into informal wage labour is also conditioned by the social division of labour which is revealed in the structure of the ASC. This takes effect from the top down and bottom up of the supply chain. The ASC follows a vertically integrated pyramid shape as shown in Figure 7.2. At the top are a few largescale OEMs, followed by large and medium scale Tier 1 suppliers. Tier 2 includes medium and small-scale tier 2 suppliers, and below Tier 3 are a multitude of small and micro firms (Uchikawa, 2011). Lead OEMs and large Tier 1 firms possess considerable market power through which they shape labour relations of Tier 2 and 3 firms. This is a consequence of the competitive pressure for lower prices of auto component parts filtered downstream through the ASC. However, this can also be said to work from the opposite direction through the fragmented and highly insecure employment relations that workers are forced into at the bottom of the supply chain. This creates a dynamic through which OEMs extract greater surplus value and maintain a downward pressure on bargaining power of labour throughout the layers of the supply chain.

20 Interview with TU2.

21 Interview with labour activist.

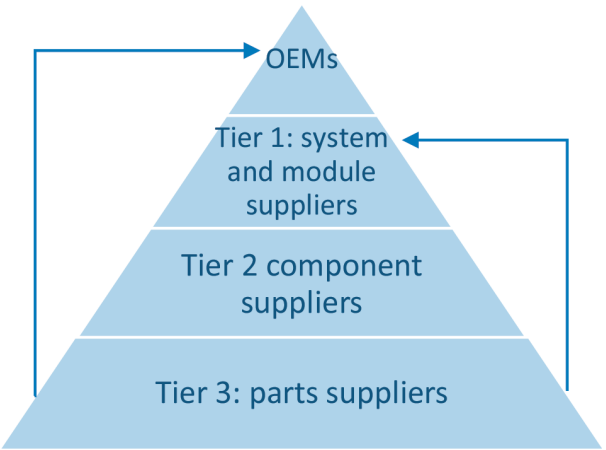


FIGURE 7.2 Structure of the automotive supply chain
SOURCE: AUTHOR'S OWN

The ASC is large and complex, a typical vehicle consists of 20,000 components and 1000 sub assembly operations (Bhattacharya et al, 2014: 51). Tier 1 firms make integrated systems and major component parts which they supply to the lead firm. Some are directly integrated with lead OEMs. For example, TKM directly sources components onsite from its own subsidiary Toyota Kirloskar Motor Parts (TKMP). Tier 2 and 3 firms are many in number and tend to be local small-scale enterprises that fall under the unorganised sector. They depend heavily on labour intensive processes, making small parts from a blueprint which they supply upstream. In many cases they do not have regularised supply contracts with OEMs or Tier 1 firms and compete for business. These small and micro firms produce generic parts for the replacement market and may supply different companies and different sectors to stay viable.

Of the OEMs interviewed the number of total employees ranged from 3000 to 7000, except for firm O2 (Table 7.2). A typical OEM has three main types of workers, managerial staff, supervisors, and general workers. General workers can be further broken down into core and marginal. Contract and temporary labour cuts across both types. The average annual growth rate of total workers employed in the automotive industry was 8.9 per cent between 2001–02 and 2017–18. This has been driven largely by growth of contract workers which over the same period grew significantly by 16.4 per cent.[22] The share of directly employed workers and contract workers in the automotive sector was

22 Compound Annual Growth Rates (CAGR) of employment in the automotive industry by different categories of workers calculated from the Annual Survey of Industry (ASI) 2017–18.

TABLE 7.2 Fieldwork data from OEM's and Tier 1 Automotive Sector (2014) Karnataka

| Code | Ownership | Total workers | CW (%) | Wage CW (Rs) | Wage RW (Rs) | Female (%) |
|---|---|---|---|---|---|---|
| O1 | Joint Venture | 7000 | 45% | 7,000 | Rs. 34,000–46,000 | 2% |
| O2 | Foreign | 1,500 | 53% | NA | NA | 5% |
| O3 | Foreign | 3,500 | 50–60% | 8,500–9,500 | 45,000 | NA |
| O4 | Joint venture | 7,000 | 60–70% | 10,000–12,000 | 50,000–65,000 | NA |
| O5 | Joint Venture | 3000 | 48% | 8,000–9,000 | 37,000–45,000 | 3–4% |
| T1 | Joint Venture | 1300 | 40% | 6000–8000 | 26000–33,500 | 6% |
| T2 | Joint Venture | 1200 | 45–50% | 6000–8000 | 26,000–30,000 | NA |
| T3 | Joint Venture | 850 | NA | NA | NA | NA |
| T4 | Joint Venture | 2000 | 70% | 9,000 | 17,000–22,000 | 20% |
| T5 | Foreign | 4,275 | 65% | 13,000 | 40,000 | NA |
| T6 | Domestic | 3,000 | 50–60% | 10,000 | 25,000–30,000 | 10% |
| T7 | Domestic | 1,200 | 60–70% | 8,000 | 20,000 | 15% |
| T8 | Joint Venture | 2000 | 70% | 6,800 | 26,000–28,000 | 8% |
| T9 | Foreign | 1100 | 50–60% | 8,500–9,500 | 19,000–22,000 | 5% |
| T10 | Domestic | 580 | 90% | 5,500–6,500 | 20,000 | NA |
| T11 | Joint Venture | 1270 | 70% | 8,500 | 28,000 – 32,000 | 9% |
| T12 | Joint Venture | 400 | 75% | 6,000 | RRs.12,000–15,000 | 12% |

Note: CW: Contract worker, RW: regular worker, NA: refers to responses not given or unverified

85 percent and 13 percent respectively in 1999–00 (Jha and Kumar, 2021: 17). These shares are now equal at 50 per cent for directly employed and contract workers, higher than the average share of contract workers in the manufacturing sector of 36 percent in 2017–18. Estimates from other sources are much higher, for example, trade union estimates of contract workers in the automotive sector are placed between 70–80 per cent.[23] Findings from fieldwork from Karnataka, indicate the proportion of contract workers in OEMs varied between 45 and 70 per cent.

23 ET Bureau (2011), "Contract labour: A ticking bomb amid auto industry's labour force", *The Economic Times*, June 29th. Available at: https://economictimes.indiatimes.com/contract-labour-a-ticking-bomb-amid-auto-industrys-labour-force/articleshow/9033123.cms.

Tier 1 firms interviewed employed between 400 and 4275 workers. The proportion of contract and temporary workers in Tier 1 firms reached as high as 90 per cent. This depended on the scale of the firm, whether it was regularised supplier of an OEM and the type of product. Tier 1 firms tend to use multiple suppliers for many different component parts and transfer the pressure for lower prices to competing tier 2 and 3 firms. Kerswell and Pratap (2015) report up to 90 per cent of workers as contract and temporary in this category.

Across all firms it was conveyed that contract workers perform the same tasks, shifts and overtime as regular workers. The Contract Labour Act (1970) stipulates that firms cannot employ a worker beyond 240 days, so workers regularly shift contractors to continue working. While trainee workers are not given permanent positions following a two- or three-years apprenticeship and are subsequently absorbed into the contract system.[24] The Labour Reform Bill under the Modi government provides a loophole to largescale factories by extending the option for 'fixed term employment'[25] which allows workers to be hired for core tasks on a contract basis and for a specified period but with no minimum or maximum period defined by law. A fixed term worker will get the same wage and benefits of workers on similar tasks but have no rights to notice of termination or pay in lieu of termination which is automatic if the contract is not renewed. Additionally, there is no limit to the number of times a contract can be renewed and as such workers may be kept on indefinitely on a rolling contract basis. In June 2020, the Karnataka government also amended the state level Industrial Employment law (1961) to include fixed term employment and is one of only five Indian states to follow the central government's labour reforms.[26]

India's ASC has only a few globally competitive OEMs integrated into global production networks. Below the Tier 1 level, there are deep linkages into the domestic economy which are characterised by widespread informal wage labour relations where sub-contracting and even home-based production has been recorded. OEMs exert significant pressure for cost reductions on tier 2 and 3 suppliers, where 60 to 70 per cent of the production costs of a car are located (Saraf, 2016). Kerswell and Pratap (2015: 541) observed highly insecure and poor working conditions across Tier 2 and 3 firms in the northern automotive belt

24 Union official TU4.

25 In 2018, the central government announced that fixed term employment would be extended to all sectors by amending the Industrial Employment (Standing Orders) Act 1946.

26 Gejji, A. (2020), "Karnataka allows flexible hiring across industry", The Times of India, July 7th. Available at: https://timesofindia.indiatimes.com/city/bengaluru/karnataka-allows-flexible-hiring-across-industry/articleshow/76824844.cms.

which comprised almost entirely of casual labour. They note the emergence of piece rate work albeit limited and a greater tendency to employ females and poor migrant workers. Another study noted child labour between the ages of 15 and 17 years in the unorganised segment of the ASC (Annavajula and Pratap, 2012).

## 4 Feminisation in the Automotive Supply Chain

This section considers the implications of the gendered division of labour which is gradually emerging in the automotive sector. The over representation of women in low value-added, low pay and causal employment feeds into a lower reservation wage and a downward pressure on the bargaining power of labour. Here national trends are considered alongside findings from fieldwork in Karnataka.

India's female labour force participation rate (LFPRS) observes a declining trend from 30 per cent in 1990 to just 20 per cent by 2020. This is despite accelerated growth, improved education, and fertility rates, and lags other countries Bangladesh (36%), China (60%) and Brazil (54%).[27] The share of female employment in Industry in India is 18 per cent which is average for South Asia but lags China which has reached 25 per cent.[28] In manufacturing, employment of women is found mostly in textiles and garments, leather, shoes and food and beverages. In low or unskilled occupations women are employed in services including beauty, cleaning, care and domestic work, garbage collection, beedi and construction. Self-employment of women is difficult to assess as this includes a large proportion of home-based and subcontracted female workers.

While there are variations in LFPRS across Indian states, Karnataka's female LFPR is the same as the all-India level of 25 per cent in 2018–19 (GOI, 2020, Table A-65). In 2019 the Government of Karnataka issued an order that allows women to work night shifts, between 7pm and 6am, in all industries (Poovanna, 2019). This was already in place for women in the IT and ITES sector since 2003. Fieldwork interviews revealed a tendency to recruit female workers in mostly non-core tasks and gradually on low-skilled assembly line tasks. Women are hired on the shop floor for tasks including, packaging and

27 World Bank database available at: https://data.worldbank.org/indicator/SL.TLF.CACT.FE.ZS.

28 World Bank database available at: https://data.worldbank.org/indicator/SL.IND.EMPL.FE.ZS.

inventory. At the time of interviews all OEMs expressed an interest in hiring female workers as well as significant rhetoric around gender diversity to modernise the sector. At higher levels of operations, both managerial positions and technical/engineering staff, the approach falls in line with middleclass aspirations to promote gender parity.

Female workers in lead automotive firms are still a minority with roughly 2–5% in most companies interviewed (Table 7.2). Some firms are beginning to use contractors to directly target new hires of female workers. A recent practice is to segregate the shop floor with female only sections.[29]

One HR manager stated because of automation women can do the same tasks as men. They are better workers, hardworking and loyal. They do not join unions and cause trouble for us but the male workers from the city have background in unions.[30]

Automation including mechanised hauls, lifts and robotics remove the element of manual labour and associated risks on the shop floor.[31] For example, Bajaj Auto has two women-only assembly lines, doubling its female workforce to 355 by 2017/18.[32] Mahindra Reva plant in Bangalore has approximately 15 per cent female workforce on the shop floor, and under the Mahindra & Mahindra group throughout India, has a total of 630 female shop floor employees. Across the ASC, Tier 1 firms hired more female workers for labour intensive tasks such as fitting small plastic parts or wiring. In Tier 2 and 3 suppliers, Kerswell and Pratap (2015) study of informal suppliers in the automotive sector found more widespread evidence of female participation in the lower end of the value chain.

Data from National Sample Survey Office (NSSO) gleams some insights into the gendered division of labour from the point of view of wage disparities. The aggregate gender pay-gap was 34 per cent in 2011–12 and was highest for casual urban workers at 39 per cent (ILO IWR, 2018:20).[33] The wage disparity by occupation and skill level is higher for occupations at the low end of the wage distribution, where women are over-represented (Table 7.3). This has been described as a "sticky-floor", with a gradual decline in the gender wage

29 HR manager firm O2.

30 HR manager firm O2.

31 Chief Executive O3.

32 Economic Times, (2018), "May her tribe increase: Auto companies hire more women for shop floor roles", August 19th, Available at: https://economictimes.indiatimes.com/industry/auto/auto-news/may-her-tribe-increase-auto-companies-hire-more-women-for-shop-floor-roles/articleshow/65459207.cms?from=mdr.

33 The aggregate gender pay gap is defined as the difference in average pay between men and women, as a proportion of men's wages (ILO IWR, 2018:19–20).

TABLE 7.3 Gendered pay gap by occupations

| | Gender wage ratio | | |
|---|---|---|---|
| | 1993–94 | 2004–05 | 2011–12 |
| Div. 1: Legislators, senior officials and managers | 0.77 | 0.80 | 0.92 |
| Div. 2: Professionals | 0.84 | 0.76 | 0.75 |
| Div. 3: Technicians and associate professionals | 0.73 | 0.64 | 0.62 |
| Div. 4: Clerks | 0.97 | 0.95 | 0.88 |
| Div. 5: Service workers and shop and market sales workers | 0.64 | 0.57 | 0.52 |
| Div. 6: Skilled agricultural and fishery workers | 0.56 | 0.54 | 0.60 |
| Div. 7: Craft and related trades workers | 0.43 | 0.49 | 0.53 |
| Div. 8: Plant and machine operators and assemblers | 0.37 | 0.41 | 0.48 |
| Div. 9: Elementary occupations | 0.64 | 0.65 | 0.69 |

SOURCE: ILO ESTIMATES, IWR, 2018: TABLE 11, P. 34

gap from the bottom end to the top of the wage distribution. This reflects an overlapping of several exploitative elements with gender, including low education/experience, social and family burdens and location in the informal sector.

The discussion above has outlined the contradictions of the feminisation of work in the ASC. Women engaging in paid work have the double burden of unpaid work and are more likely to engage in employment at lower end of occupational spectrum. The extent of female participation in the automotive sector remains limited in OEMs but is increasing as firms becoming more automated. The overrepresentation of women at the lower end of the ASC in informal work reduces their bargaining power and puts a downward pressure on wages throughout the supply chain.

## 5 New Location of Labour Discontent

The recent rise in industrial strife in Karnataka's manufacturing sector indicates a new geography of industrial discontent accompanied by the growing presence of large-scale firms. Increasing informalisation of the workforce has led to more frequent and intense workers' struggles. This also needs to be contextualised in terms of the political economy of the state and the class interests

of the state in the neoliberal period. This section considers three key dimensions to growing industrial discontent, that is, struggles around wages, union recognition, and the state's role in institutionalising a flexible labour regime to attract private investments.

### 5.1 *Wage Differentials*

Karnataka has experienced an increasing trend of strikes and lockouts since the 2000s. Many of these episodes of labour struggles are characterised by wage disputes. The 2014 TKM lockout was the culmination of a year-long wage dispute between workers and management. Prior to this, the Toyota Kirloskar Motor's Employees Union (TKMEU), had organised over 30 acts of disruption on the shop floor including stoppages of production, walkouts on the assembly line, and even damaging cars on the production line.[34] The TKMEU were demanding a pay increase of 4000 Rs but were offered 2,650 Rs, and finally agreed to 3,050 Rs (Das and George, 2006). The Vice Chairman of TKM, argued that:

> If we increase the salary too much, then it will affect the rest of our ecosystem of suppliers and in the end, we may have to pay more for our parts, which will increase our costs.[35]

This illustrates the effect of a large surplus labour force and increasing informal wage labour has on keeping a downward pressure on wages throughout the ASC.

Table 7.4 gives a snapshot of the average wage range for regular and contract workers amongst lead OEMs in India. There are significant differentials in wages between permanent and contract workers. Wages were much lower for contract workers at 40–50 per cent less than the basic salary of a permanent worker. Wages decline significantly for contract workers which make the bulk of workforce in Tier 2 and 3 firms (Bajpai et al., 2019: 29). Contract workers receive less in terms of food and travel allowances if anything at all.[36] They are entitled to Employers State Insurance (ESI) and Provident Fund (PF)[37] which is paid via their contractor. However, contractors are opaque in their practices and often do not make these payments, especially given workers are cycled through so many different contractors. While most strikes and lockouts are

34 Interview notes from Union official O1 that has links with TKMEU.

35 Lockout out at Toyota (2014). Available at: https://frontline.thehindu.com/social-issues/general-issues/locked-out-at-toyota/article5914562.ece.

36 Union official TU2.

37 ESI is a health insurance scheme and PF is a pensions scheme.

TABLE 7.4 Comparison of wages for regular and contract workers across major OEM's

| | Wage RW (Rs) | Wage CW (Rs) |
|---|---|---|
| Maruti Suzuki | 23,500–37,000 | 11,500 |
| Ford India | 50,000 -33,000 | 8,500–7000 |
| Hyundai | 49,000 to 33,000 | 8,500–9,500 |
| Toyota Kirloskar | 46,200- 34,000 | 8,000 to 7,000 |
| Honda | 50,000 – 65,000 | 9,000 to 12,000 |

SOURCE: FIGURES ARE FROM 2013–2014 DRAWN FROM VARIOUS REPORTS

narrowly defined by wage demands they almost always include requests to end the use of contract labour. However, the context in which workers are mobilising is increasingly oppressive and skewed in favour of capital as discussed in the remaining sections.

### 5.2 *Mobilisation of Workers*

Information on labour disputes at state level is problematic in terms of underreporting and should be taken with broader evidence for a more nuanced picture. Table 7.5 gives the number of strikes for selected states between 2009 and 2013. Over this period Karnataka observed an increase in the incidence of strikes in contrast to the other industrialised states which show a declining trend. This contrasts sharply with the common perception of Karnataka as an investor friendly and pro reforming state. Increased labour struggles on the shop floor are viewed in the context where state governments compete to attract private investments. While, as mentioned, the national context is marked by strongly anti-worker and anti-trade union labour market reforms which has strengthened the structural power of capital relative to labour.

Sundar (2015: 47–48) identifies soft and hard strategies commonly employed by firms to deny collective rights to workers. The former includes threats to relocate production; promoting employees to weaken unions; institute firm level union or workers' association/committees; refusal to speak to union or outside affiliated with the union; and insisting on workers signing good conduct commitments. Hard strategies include declaring strikes illegal; criminal charges against union activists; employment dismissals and suspensions of union activists; lockouts and bringing in police to break up strikes or protests. These strategies have all been observed in major episodes of strikes and lockouts in Karnataka industrial sector since 2000s (Kazi, 2019).

A clear example of this, is the preference for firm level unions with no political affiliation and through which management can determine the scope of

TABLE 7.5 Number of strikes, number of workers involved, and man-days lost between 2009 and 2013, selected Indian states

| | 2010 | | | 2013[a] | | |
|---|---|---|---|---|---|---|
| | **No. of strikes** | **No of workers** | **Man-days lost** | **No. of strikes** | **No of workers** | **Man-days lost** |
| Andhra Pradesh | 13 | 60971 | 650830 | 1 | 600 | 54000 |
| Gujarat | 13 | 11922 | 35466 | 10 | 49816 | 103566 |
| Haryana | 9 | 4869 | 194546 | – | – | – |
| Maharashtra | 3 | 951991 | 964700 | 5 | 30405 | 60810 |
| Karnataka | 3 | 45525 | 65227 | 14 | 63159 | 121779 |
| Tamil Nadu | 28 | 27382 | 334806 | 7 | 4156 | 75310 |
| West Bengal | 10 | 371370 | 4218489 | 8 | 73414 | 146828 |
| **All India** | **127** | **1665569** | **7123170** | **105** | **612291** | **1414063** |

a 2013 figures apply to period 1st January to 31st March

SOURCE: PRESS INFORMATION BUREAU, GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT, MAN DAYS LOST DUE TO STRIKES STATE WISE, FROM A RESPONSE TO A QUESTION POSED AT RAJYA SABHA (2015). AVAILABLE AT: HTTPS://PIB.GOV.IN/NEWSITE/PRINTRELEASE.ASPX?RELID=116858

union activities and choose official members of the union (Roychowdhury, 2008). This has eroded collective bargaining but also revealed opportunities for workers to mobilise against. For example, in 2014 auto company Stumpp, Schuele & Somappa (SSS), declared a lockout to prevent contract workers joining the employee's union. The company had just 88 permanent workers and 620 contract workers. The union was calling for the same pay and working conditions for contract workers as permanent workers. A surprise inspection of the firm found the company brought in over 100 workers from outside the state and rural northern districts of Karnataka to replace workers during the lockout. The inspection team reported poor treatment of workers as if they were bonded labourers (Rao et al, 2014).

A common strategy of firms is to deny workers their rights to unionise, as "*they find ways to make strikes illegal and refuse to speak to any union affiliated with the firm level union*".[38] At TKM the management set up a firm level union called Toyota Motors Association (TMA). The management would interfere in

38 Union official TU2

elections, by securing their chosen workers in official positions and suspending workers seen as disruptive to prevent them standing for election. At the same time the company refused to recognise any other union. As early as 1999, workers at TKM registered the TKMEU with the labour department and chose to affiliate to the Centre for Indian Trade Unions (CITU).[39] It was not until 2007 that the company agreed to recognise the union. Prior to this the company had dismissed 27 workers associated with the TKMEU. This led TKMEU towards an important tactic revealing new avenues for collectivised action. Recognising the supply chain as integral to the automotive sector, they formed the All India Toyota and Ancillary Employees Federation in 2014,[40] and organised protests across the main plant and its supplier units. In the same year, Bosch worker's union MICO Employees Association, held a five-week strike calling for a 20 per cent pay rise, reinstatement of victimised workers and permanency for contract employees. Around 400 contract workers joined the strike which the Karnataka state government declared illegal (Kazi, 2019).

While inroads have been made to create stronger links between regular and non-regular workers, there remain many challenges. Firm level mobilisation has adapted to the increasingly oppressive conditions under the present neoliberal regime. This is seen in the labour process internal to the firm but also in the wider social sphere whereby state governments under fierce competition to woo private investments have institutionalised a flexible labour regime.[41] Within the broader labour movement, all the major trade union federations are active in Karnataka, particularly the AITUC and CITU in the industrial sector. Additionally, due to Bangalore's large ready-made garments sector (Kumar, 2014), unions have emerged to address the issues faced by women exploited under informal working conditions, such as the Bangalore's Garment and Textile Workers Union (GATWU). Major trade unions have joined national strikes to oppose the Modi government's labour reforms since 2014. In August 2020, in Karnataka this included protests that brought together different movements of farmers, students, migrant workers, Dalit activists and trade unions against the government's reforms which are articulated as anti-people.[42] A trade union leader explained collective bargaining has almost exclusively been suppressed

39 TKMEU was initially affiliated with the Indian National Trade Union Congress (INTUC) which is Congress Party associated. The CITU is associated with the Communist Party of India (Marxist) CPM.

40 This included 15 ancillary units of TKM and the TKMEU under one banner.

41 For more detailed analysis of the state institutionalising a flexible labour regime in India see Jenkins (2004) and Sharma (2006).

42 Business Line, (2020), "Trade unions, farmer outfits hold protests against Centre's policies on Quit India day", The Hindu, August 9th. Available at: https://www.thehindubusinessline

by firm's refusing to recognise any union affiliated to a major federation, and by the government who diverts labour disputes directly to the labour courts or declares them illegal. This has meant trade union strategies have adapted to focus on national government policy reforms and building alliances across sectors and other key constituents such as farmers or advocating for the rights of migrant workers.[43]

### 5.3 *The State and Informal Wage Labour*

Karnataka is often characterised as an investor friendly, pro-reforming state with a flexible and docile labour force. Karnataka's so called 'model of development' is based on technology led growth and local governance initiatives for the poor (Kadekodi et al, 2007). A more critical view characterises Karnataka's growth process as driven by an 'elitist model' of growth (Kazi, 2019). This takes account of the role of the state when viewed through the lens of class interests rather than merely through the existence of regulation or lack thereof as with the mainstream LMF approach. The state government actively reshapes capital and labour relations to serve its own class interests. As argued by Poulantaz (1978: 115), state institutions and apparatus '*do not possess a power of their own distinct from class power'*.

Karnataka's elitist model of growth is rooted in the dominance of middle castes through patronage networks deeply rooted in village life. This has shaped the political economy of the state where class-based movements from below have been limited and the power of old and new elites has been maintained (Kazi, 2019). With liberalisation, new elites have emerged that are the real beneficiaries of the state's industrial policy and interventions to promote high skilled, technology-led sectors and large-scale foreign and domestic industrial investors. The social division of labour is shaped by the close ties between capital, political classes, and big farmers in Karnataka. What is observed is " *The rapid expansion of the tertiary sector and the dependence on FDI have split the pie between foreign capital investing heavily in the state and domestic capital who are trying to maximise the opportunities created by new policies*" (Das Gupta, 2015: 220). The elitist model of growth informs the wider socioeconomic conditions that shape how accumulation proceeds and the social division of labour, with implications for expanding informal wage

.com/news/elections/trade-unions-farmer-outfits-hold-protests-against-centres-policies-on-quit-india-day/article32309841.ece.

43 Kulkarni (2020), 'Karnataka State government concedes unions' demands, allows migrants to return home', People's dispatch, May 8th, https://peoplesdispatch.org/2020/05/08/karnataka-state-government-concedes-unions-demands-allows-migrants-to-return-home/.

labour in the organised workforce. This process has also been legitimised by the state and pursued through the strategies of competing capital.

The state pursues industrial policies aimed at competitively seeking out large-scale investments which demand labour flexibility, and actively promotes low wage and non-unionised labour. The ease of doing business and investment climate indexes have provided a methodology for flexibility. The state intervenes in industrial disputes to limit strikes and expands Export Processing Zones (EPZs) where labour laws do not apply. The state has also tacitly supported capital's strategies to undermine union rights. In 2002, the Karnataka government declared TKM a public utility service (PSU) under which strikes are illegal (Barnes, 2018: 127). This follows years of increased disruptions across major auto-sector firms. It reflects the same preferential treatment received for many years by the IT sector and new corporate elites in Karnataka. Since then, the PSU status has been extended to the entire automotive sector as part of the state's industrial policy framework. Consequently, union employees must protest outside the premises of the company and shifted their demonstrations to the city centre by teaming up with other major union federations to hold sector wide rallies[44] (Das and George, 2006: 296).

State officials highlighted that flexible labour has become a means of competition between states to attract investments. Displaying a sort of race to the bottom in regulations. One labour official stated "*While jobs are created, they are all insecure and wages are very low, below minimum wages. Workers live in permanent insecurity. The State supports big investments above all else*".[45] A common practice amongst big investors is to threaten the government with relocation and often play different states off each other for a basket of incentives. A key example is Karnataka state government securing the Toyota contract in 1997. The deal made in 1997 saw production begin in late 1999 through a joint venture between Japan's Toyota and local industrialist group Kirloskar. The then Chief Minister Deve Gowda pieced together a large package of incentives and tax breaks in competition against Maharashtra, Tamil Nadu and Noida. These included tax exemptions on stamp duty and plant machinery, 100 per cent exemption on entry tax of raw materials, and sales tax exemption. Additionally, investment subsidies were granted, pollution controls relaxed and favourable access to water and power supply infrastructure. The state government has extended these incentives and concessions at regular intervals

44 The All-India Trade Union Congress (AITUC), and other trade unions formed the Bangalore United Trade Unions' Forum (BUTUF) in 2006 to campaign against anti-worker multinationals practices and other issues such as the use of contract labour (Nair, 2005).

45 Labour commissioner for statistics and retired labour commissioner.

such that they still hold over two decades later. Toyota would bring letters from other states outlining their offers and to extract more benefits from the government. However, the limits of this intense inter-state rivalry became apparent when in 2014, Karnataka lost the Hero Motors Corp Ltd to Andhra Pradesh. Chief Minister, Siddaramaiah stated:

> Our government offered maximum concessions in the form of tax holidays, excise duty exemption, concessions in entry tax, and interest-free loan of Central Sales Tax (CST) to the company. But we cannot give them free land because other companies will also ask for it.[46]

Labour flexibility institutionalised by the state and the strategies of competing private capital under the neoliberal regime have shaped the way in which capital accumulation has proceeded and has implications for the differentiation of the workforce. This is observed in the expansion of informal wage labour in the organised workforce. At the same time, this has led to more frequent and intense workers' struggles, with Karnataka emerging as a new location of labour discontent.

## 6 Conclusion

This chapter contributes an alternative approach to examine the trend towards informal wage labour in the organised workforce, viewed through the analytical lens of the labour process. Focusing on a case study of the automotive and auto component sector which has been critical to India's post reform growth. This perspective emphasises that conflicts between capital and labour are critical to understanding differentiation of the workforce in contrast to mainstream theories which emphasise the efficiency motives of the firm. Additionally, the firm is not an isolated entity but part of the wider socio-economic forces that determine the way in which capital accumulation proceeds, including the role of the state in institutionalising a flexible labour regime.

The labour process is examined through automation and technology, work organisation, composition of the workforce, and disciplining labour. It is argued that automotive firms reduce the bargaining power of labour through augmenting the division of labour and fragmenting the workforce into informal wage labour. Fieldwork presented from Karnataka's automotive and auto

46 Prahbu (2014).

components sector finds considerable blurring of the lines between regular and non-regular workers. At the same time, large differentials remain in terms of wages, working conditions and training between regular and non-regular workers. It is found that the degree of contract labour within lead OEMs and Tier 1 suppliers is much higher than that reported in aggregate data. For OEMs, this was between 50 and 70 per cent, and for Tier 1 suppliers between 60 to 90 per cent. The analysis also showed that firms' hiring practices are reshaping the internal workforce through a preference for non-unionised workers from rural and semi-rural areas, and female workers. In this case study the social division of labour is viewed through the ASC and how it shapes the bargaining power of labour both from the top down and bottom up. The considerable market power held by lead OEM's puts a downward pressure on wages and bargaining power of labour. While the dominance of low paid, informalised labour and the overrepresentation of women at the lower end of the ASC feeds into a lower reservation wage and further reduces bargaining power of labour.

This chapter also outlined a new geography of labour discontent in Karnataka's automotive sector. This contrasts with the common perception of Karnataka as an investor friendly and pro-reforming state with a docile labour force. Karnataka's elitist model of growth has historically prevented class and social based movements from emerging to challenge the power of established and new corporate elites. However, the growing presence of large-scale firms, the state's institutionalising of a flexible labour regime and the increasing informalisation of the workforce has led to more frequent and intense workers' struggles. This reveals the locus of labour's structural power against capital is beginning to shift to include the issue of informal wage labour within the organised sector. While challenges remain, this has forged a degree of solidarity across informal and formal workers in the automotive sector.

## References

Ahluwalia, M. S. "Economic reforms in India since 1991: Has gradualism worked?", *Journal of Economic Perspectives*, 16(3), (2002): 67–88.

Ahsan, Ahmad and C. Pagés. "Are all labor regulations equal? Evidence from Indian manufacturing", *Journal of Comparative Economics*, 37(1), (2009): 62–75.

Annavajhula, J. C. B., & S. Pratap. "Worker voices in an auto production chain: Notes from the pits of a low road-II", *Economic and Political Weekly*, 47(34), (2012): 49–56.

Bajpai,H., A. Tandon, and A. Sinha. "The future of work in the automotive sector", (2019). Available at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/--inst/documents/publication/wcms_551606.pdf.

Bardhan, P. "Gujarat model of hate is evident everywhere", The Telegraph, India, (January 22, 2018). Available at: https://www.telegraphindia.com/india/gujarat-model-of-hate-is-evidenteverywhere-economist/cid/1333359.

Barnes, T. "Informal Labour in Urban India: Three Cities, three Journeys", Abingdon: Routledge, (2015).

Barnes, T. "Making Cars in the New India. Industry, Precarity and Informality", Cambridge University Press, (2018).

Basole, A, A. Jayadev, A. Shrivastava. and R. Abraham. "State of Working India 2018", Azim Premji University, Centre for Sustainable Employment Working paper, (2018). Available at: http://www.indiaenvironmentportal.org.in/files/file/State_of_Working_India_2018.pdf

Bernstein, H. "Capital and labour from centre to margins', In Keynote address at the conference 'Living on the Margins", Stellenbosch University, 26–28 March, Cape Town, (2007).

Besley, Timothy and R. Burgess. "Can Labor Regulation Hinder Economic Performance? Evidence from India", *The Quarterly Journal of Economics*, 119(1), (2004): 91–134.

Bhalotra, S. and M. Umaña-Aponte. "The Dynamics of Women's Labour Supply in Developing Countries", Discussion Paper Series No. 4879, (2010).

Bhattacharya, S., D. Mukhopadhyay, and S. Giri. "Supply Chain Management in Indian Automotive Industry: Complexities, Challenges and Way Ahead". International Journal of Managing Value and Supply Chains (IJMVSC) Vol. 5, No. 2, (2014).

Chandrasekha, C. P. "India's Informal Economy", The Hindu, (September 23, 2017). Available at: India's informal economy - The Hindu.

Chattopadhyay, K. and S. Marik. "India on Strike", Jacobin, (April 2016). Available at: https://www.jacobinmag.com/2016/10/indian-workers-general-strike

Das Gupta, S. "Class interest shapes political decisions: a case-study of agricultural policies in post-liberalisation Indian states of Chhattisgarh, Gujarat and Karnataka". PhD thesis, SOAS, University of London, (2015).

Das, K. L. and S. George. "Labour Practices and Working Conditions in TNCs: The Case of Toyota Kirloskar in India", In Chang, D., (ed.), Labour in Globalising Asian Corporations: A Portrait of Struggle, Hong Kong: Asia Monitor Resource Centre, (2006): 273–302.

Das, S., S. Jain-Chandra, K. Kocchar, and N. Kumar. "Women Workers in India: Why So Few Among So Many?", IMF Working Paper 15/55, (2015). Available at: https://www.imf.org/external/pubs/ft/wp/2015/wp1555.pdf

Fallon, Paul, and R. Lucas. "The impact of changes in job security regulations in India and Zimbabwe", *World Bank Economic Review*, 5(3), (1991): 395–413.

Fine, B. "Labour market theory: a constructive reassessment", London: Routledge, (1998).

Ghose, A. K. "India Employment Report 2016: Challenges and the Imperative of Manufacturing-Led Growth", New Delhi, (2016).

Ghosh, J. "Globalization, Export-Oriented Employment for Women and Social Policy: A Case Study of India", *Social Scientist*, 30(11/12), (2002): 17–60.

Hirway, I. "Equal Sharing of Responsibilities between Men and Women: Some Issues with Reference to Labour and Employment", In Paper prepared for 53rd Meeting of the Commission for the Status of Women (CSW), United Nations Division for the Advancement of Women (DAW), New York, (2008).

Government of India (GOI). "Report on Employment in Informal Sector and Conditions of Informal Employment", Ministry of Labour and Employment, Vol. 4, (2013/14). Available at: Report vol 4 final.pdf (labour.gov.in)

Government of India (GOI). "Periodic Labour Force Survey (PLFS) 2018–2019", Ministry of Statistics and Programme Implementation, National Statistical Office, India, (2020). Available at: *Annual_Report_PLFS_2018_19_HL.pdf (mospi.nic.in)

ILO. "India Wage Report: Wage policies for decent work and inclusive growth", (2018). Available at: https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sronew_delhi/documents/publication/wcms_638305.pdf

James, R. and R. Jones. "Transferring the Toyota lean cultural paradigm into India: implications for human resource management", *The International Journal of Human Resource Management*, Vol. 25, No. 15, (2014): 2174–2191, Routledge.

Jenkins, R. "Labor Policy and the Second Generation of Economic Reform in India", India Review, Taylor & Frances Inc., Volume 3 (4), (2004): 336–363.

Jha, P. and A. Chakraborty. "Post-Fordism, Global Production Networks and Implications for Labour: Some Case Studies from National Capital Region", Institute for Studies in Industrial Development, Working paper 172, New Delhi, (2014).

Kadekodi, G., R. Kanbur, and V. Rao. "Governance and the 'Karnataka Model of Development", *Economic and Political Weekly*, Vol. 42(8), (2007): 649–652.

Kannan, K. P. and G. Raveendran. "Jobless Growth in India's Organised Manufacturing", *Economic & Political Weekly*, 13(10), (2009):80–91.

Kazi, D. "Towards a political economy of industrial labour in post reform India: A case study of expanding informal wage labour and capital-labour struggles in Karnataka's automotive sector", PhD thesis, SOAS, University of London, (2019).

Kerswell, T. and S. Pratap. "Informality in Automobile Value Chains in India", *Labour and Society*, 18(4), (2015):533–553.

Khan, M. "Political Settlements and the Governance of Growth-Enhancing Institutions", (Unpublished), University of SOAS, (2010). Available at: https://eprints.soas.ac.uk/9968/

Kumar, A. "Interwoven threads: building a labour countermovement in Bangalore's export-oriented garment industry". *City*, 18 (6), (2014):789–807.

Majumdar, S. "Labour Unrest at Toyota: The Decision Dilemma", Kolkata, (2006).

Mehrotra, S., A. Gandhi, B. K. Sahoo, and P. Saha. "Creating employment in the twelfth five-year plan", *Economic and Political Weekly*, 47(19), (2012):63–73.

Mezzadri, A. "The rise of neo-liberal globalisation and the "new old" social regulation of labour: A case of Delhi garment sector", *Indian Journal of Labour Economics*, 51(4), (2008):603–18.

Mezzadri, A. "Globalisation, informalisation and the state in the Indian garment industry", *International Review of Sociology*, 20(3), (2010):491–511

Mondal, B., Ghosh, J., Chakraborty, S. and Mitra, S. "Women Workers in India", (No. 3), CSE Working Paper, (2018).

Murthy, S. V. "Measuring Informal Economy in India-Indian Experience." In 7th IMF Statistical Forum: Measuring the Informal Economy, November, vol. 14, no. 15, (2019).

Nagaraj, R. "Sub-Contracting in Manufacturing Industries: The Bangalore Experience", Jawaharlal Nehru University (JNU), (1989).

Nagaraj, R. "Fall in Employment Organised Manufacturing", *Economic and Political Weekly*, 39(30), (2004):3387–3390.

Nair, J. "The promise of the metropolis: Bangalore's twentieth century", New Delhi: Oxford University Press, (2005).

Nanda, P. "Job creation still a challenge after four years of Modi govt.", Livemint, (May 26, 2018). Available at: https://www.livemint.com/Industry/dlzi6Osi2iB7UC18znYe1I/Job-creation-still-achallenge-after-four-years-of-Modi-govt.html

National Commission on Enterprises in the Unorganised Sector (NCEUS). "The Challenge of Employment in India: An Informal Economy Perspective", Volume I, New Delhi, (2009). Available at: http://dcmsme.gov.in/The_Challenge_of_Employment_in_India.pdf

Paliath, S. "Why trade unions are pushing back against India's proposed Industrial Relations Code", Scroll-in, (January 7, 2020). Available at: https://scroll.in/article/949030/why-trade-unions-are-pushing-back-against-indias-proposed-industrial-relations-code

Poovanna, S. Karnataka govt allows women to work in night shift in factories", Livemint, (November 20, 2019). Available at: https://www.livemint.com/news/world/karnataka-govt-allows-women-to-work-in-night-shift-in-factories-11574266954545.html

Poulantzas, N. "State, Power, Socialism". London: New Left Books, (1978).

Rao, R. "Locking out workers", PUCL Karnataka, (2014). Available at: http://sanhati.com/wpcontent/uploads/2014/06/PDF-Version-of-SSSPL-Report_Final1.pdf

Roychowdhury, S. "Public Sector Restructuring and Democracy: The State, Labour and Trade Unions in India", *Journal of Development Studies*, 39(3), (2003).

Saraf, P. "Automotive in South Asia From Fringe to Global", World Bank (WB), Working Paper No. 108826, (2016). Available at: http://documents.worldbank.org/curated/en/413581475756332802/Automotive-in-SouthAsia-from-fringe-to-global-extended-version-of-the-industry-case-study-done-for-South-Asia-sturn-policies-to-boost-competitiveness-and-create-the-next-export-powerhouse

Sarma, A. and S. Sunder. "Labour reforms sans human face", The Indian Express, (October 28, 2020). available at: https://indianexpress.com/article/opinion/columns/labour-reforms-strikes-trade-unions-economy-manufacturing-factories-6907339/

Sethi, A. "Gone in 50 seconds", The Hindu, (August 2, 2016). Available at: https://www.thehindu.com/news/national/gone-in-50-seconds/article26017810.ece

Sharma, A. N. "Flexibility, Employment and Labour Market Reforms in India", *Economic & Political Weekly*, XLI (21), (2006):2078–2085.

Shyam, A. "India Inc's top executives earn 243 times more than average staff", The Economic Times, (March 2018).

Sundar, S. "Industrial conflict in India in the post-reform period: Who said all is quiet on the industrial front?", *Economic and Political Weekly*, 50(3), (2015):43–53.

Tinel, B. "Labour process and the division of labour, a reading", Centre d'Économie de la Sorbonne, Université Pari, (2009). Available at: https://halshs.archives-ouvertes.fr/halshs-00435252/document

Tinel, B. "Why and How Do Capitalists Divide Labour? From Marglin and Back again through Babbage and Marx", *Review of Political Economy*, 25(2), (2013):254–272.

Uchikawa, S. "Small and medium enterprises in the Indian auto-component industry", *Economic and Political Weekly*, 46(25), (2011):51–59.

CHAPTER 8

# Reformation of Cinnamon Peelers' Identity in Sri Lanka

*Shanka P. Dharmapala*

This is an ethnographic analysis of changing labor processes and their impact on the workers producing cinnamon, resulting from the modernization of traditional practices to modern shop-floor work processes and operations. This change is necessitated as the industry transitions to comply with various international trade obligations and market practices, within a prevailing globalized neo-liberal economic context. In an industry which persistently reinforces semi-feudalistic and patriarchal structures and practices, the *kalliya* (gang) functions as an autonomous bloc, while demonstrating a unique labor formation with collective bargaining through informal/social networks and mechanisms (peer-polity interaction). Consequently, the transition has separated the conceptualization from execution and redistributed the work by dividing the processing from the harvesting while being subject to the buyers specifications and demands. As a result, the bargaining power of cinnamon workers has been severely weakened. Moreover, the field observations suggest that the transition has decreased the workers' ability and productivity in processing cinnamon, in terms of both quality and quantity. This is quite contrary to the normative expectations of the work redistribution and specialization. The subjectivity/reflexivity of workers (as seen in *kalliya*) undertaking the work and creating the capital relation has been completely withdrawn from social relations, which have become solely economic. A gender segregation of labor has also emerged as a result of this transition, with an emergent feminization of the shop floor subordinated under a male-centered management becoming the norm. This study seeks to assert an alternative critical view about the role of management in increasing worker efficiency/productivity. The investigation, however, does not examine cinnamon peelers'_peer-polity relations outside the work milieu, in the changing political economic context, and there is therefore a need for further investigations.

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## 1 Introduction

Very little is known or has been explored about the changes in the labor process (Braverman, 1974) in a material-based and traditional industry such as cinnamon in Sri Lanka. The consequent impact on the reflexivity and subjectivity (Knights and Willmott, 1989) of cinnamon peelers who exchange their labor of producing cinnamon, and transition from a traditional mode of operations to a factory organizational form of shop-floor relations, has not be studied.

The Sri Lankan cinnamon industry originates from the endeavors of European occupation and mercantilist capitalism seeking to monopolize the global trade in spices and other commodities (Jayawardena, 2000). Prior to the arrival of Europeans, cinnamon extraction was done through *rajakariya*—a system of unpaid labor which served the monarchy and aristocracy of the natives (Dewasiri, 2007). The colonial capitalist intervention in this status quo was forceful, changing the existing feudal political economy and restructuring social relations to enable the extraction of surplus labor (Gunasinghe, 1990; Jayawardena, 2000; Wickramasinghe, 2006; Dewasiri, 2007). Consequently, this changed the social division of labor in producing cinnamon by segregating and assigning this economic role to the people belonging to the *salagama* caste.[1]

The industry continued even after the European occupation. The ownership of trading cinnamon in foreign markets was transferred from the colonial companies to the local proprietors. The locals[2] who benefitted from the primitive accumulation method during the colonial period and subsequent land acquisitions (Jayawardena 2010) gradually developed as planters and the new employers of the artisans who continued to provide labor for harvesting and peeling cinnamon. The primitive accumulation bifurcated the *salagama* caste to an upper class of the wealthy proprietors or company owners and a working class of artisans—the cinnamon peelers.[3]

With Sri Lanka becoming a republic and the passing of the Land Reform Commission Act of 1972 and Sri Lanka State Plantations Corporation Act of 1958 (as amended in 1962 and 1979), the lands, which belonged to plantation

1 *Salagama* (*Halagama*), a caste based in the southern parts of Sri Lanka (mainly Galle District), is reported to have migrated from South India in around the 13th century CE, and gradually assimilated into the culture of Sinhalese-speaking natives in Sri Lanka (Jayawardena, 2000).

2 The locals, as Jayawardena (2000) identifies, were cinnamon peelers who rose to the ranks of the bourgeoisie.

3 This observation is based on a personal communication with Wijitha de Zoysa-Jayathilake between 2011 and 2013.

companies and large proprietary holdings[4] were acquired. These lands were redistributed amongst the rural population to proportionally increase the tenure through allocation of smallholdings. In 1977, Sri Lanka adopted liberal economic reforms, resulting in drastic changes to the political economy of the country. Deregulation, privatization, and trade liberalization to open the economy for international competition were the key policy changes.

Since 2003, the focus of the cinnamon industry in Sri Lanka has mainly been on modernizing[5] the production infrastructure and process from the traditional *wadiya*[6] to factory and shop-floor operations to meet trade compliance requirements for food safety and other non-tariff requirements in the international markets.[7] These non-tariff trade requirements have been introduced as a result of the 'spaghetti bowl' of multilateral and bilateral trade agreements adopted by Sri Lanka and through the entry of Sri Lanka into the rules-based World Trade Organization (WTO) supporting global trade. Sri Lanka, following the adoption of more open economic policies in 1977, has committed itself through successive governments to adhere to international WTO trade agreements and protocols since 1995 (Geeganage, 2013). Even though leading cinnamon proprietors and exporters supported this ascension through the WTO, there has been overt resistance from smaller-scale cinnamon producers

4 The private ownership during the pre-land reform period was instituted by two main categories:
Broad Based Companies, which are synonymous to Public Listed Companies (PLCs) and also known as London Sterling Companies, which traded at the London Stock Exchange; and local bourgeoisies, who held tenure as Absentee landlords and managed the businesses as proprietary holdings. (Source: Dr Weerakoon Wijewardena, personal communication, 4 June 2017, Colombo.).

5 Even though the modernization process began in 2003, the effective transformation took place between 2004 and 2010, with inward investment from the Germen Federal Ministry (viz., BMZ). In the initial phase of this project, eight certified cinnamon factories were built, job descriptions of modern cinnamon peelers were drawn up, and for the first time new recruits were trained outside the *kalliya*. The new recuirts were all females and trained to become the first female cinnamon peelers. During this period, the separation of the field-work from the factory or shop floor was schematized and executed. The lessons learned from the 2004 to 2010 project were extended and fortified between 2011 and 2017 by integrating them into the formal vocational education system and establishing food safety standards and other production compliances to consolidate the shop-floor operations and industry re-structure.

6 A vernacular term in Sinhalese for a hut, a makeshift place for work and living.

7 In addition to tariff-related agreements, other types of trade agreements include Sanitary and Phytosanitary (SPS) and Technical Barriers for Trade (TBT). These agreements set conditions on imports and exports by introducing and updating importing countries' compliance requirements in support of domestic food-safety and other commodity-quality standards and regulations established to safeguard those countries' citizens (consumers).

(smallholders) and peelers to adapting and adopting trade-agreement requirements and WTO protocols which propel the industry towards new forms of work organization and 'modern' shop-floor operational requirements. In this context however, there have been several success stories of a new generation of cinnamon peelers adapting and benefitting, particularly those who are outside the traditional cinnamon-growing areas along the south coast of the country.

The prevailing circumstances provided an intriguing subject for academic investigation. Consequently, an ethnographic investigation was carried out to analyze the changes caused by modernization of the cinnamon-production labor process. The study was also intended to understand the impacts of these changes on the identity formation of the workers as the changes take place through their social relations, practices, and reflexivity during day-to-day work life. Observations, analyses, and interpretations of data were placed within a theoretical framework, and are framed within the premises of the Labor Process Theory (LPT)[8] and the theory of subjectivity and reflexivity in the work milieu. Observations were made in a traditional work setting (*wadiya*) in a traditional cinnamon-growing area on the south coast, as well as in the modern shop-floor setting of a cinnamon-producing factory in an alternative new cinnamon-growing area in the central part of the country. The data collection was through passive observations in the selected work settings, and informal and semi-structured to unstructured discussions with the actors of those settings. A study sample of 79 actors was selected considering time, people, and context (Hammersley and Atkinson, 2007). The sample constituted workers, supervisors, managers, and proprietors (including smallholders). Audio recordings and field notes were used for collecting data. The data transcribed and coded were subsequently analyzed by using Microsoft Excel spreadsheets.

The study endeavored to seek answers to two critical questions: (a) What are the changes caused by the modernization process in the cinnamon-producing labor process? (b) What impact have these changes had on the workers' social relations, practices, and sense-making process? The investigation was contextualized in the modern and historical political economy of the country and the contemporary industry setting.

In the endeavor to seek answers, both the analysis and interpretation of the data were grounded in the theoretical framework of Labor Process Theory (Braverman, 1974) and the identity theory of Knight and Willmott (1989). The issues of *work distribution, social/structural changes*, and *reflexivity/subjectivity* were found to be relevant, salient, and resilient in the data. Accordingly, the data

8 This theory was introduced by Braverman (1974).

were organized (coded) under these headings and analyzed. The subheadings or microstructure of the analytic frame were developed through considering the social and production capital relations, implications of the production process to the social practices, and the agency and structure dichotomy of power sharing in the exchange between labor and capital (ownership). The process of change in (re)organizing labor in the event of managerial intervention was analyzed under the subheadings of division of labor, managerial takeover and labor subjugation of autonomy, conceptusalization, and execution of work, learning and development, changes between labor and means of production, and the purpose of labor. Gender, interrelation between labor and capital, social practices, and resistance and peer polity interaction were found to be relevant and intrinsic issues, which were prevalent in analyzing the subjectivity or sense making of the workers in the labor-process change under respective subheadings.

## 2 The Change in Labor Process

### 2.1 *Work Distribution*

#### 2.1.1 Division of Labor for Work Efficiency and Productivity

A cinnamon peeler in a *kalliya*[9] in the traditional work setting of *wadiya* carries out the entirety of the work, from fieldwork operations to the end task of processing cinnamon quills;[10] and sometimes even extending to the tasks of quality grading and baling[11] cinnamon. In one of the work settings observed, the two peelers were carrying out these 'extended tasks' assigned by the proprietor. Undertaking of extended tasks, including the maintenance of cinnamon bushes in the field, is 'usual' and a consented labor for a cinnamon peeler in the *kalliya,* particularly during the 'off season' of harvesting.

In a society or an industry that continues to prioritize the traditional mode of production (where the feudal structures and/or practices are still pervasive),

9 A *kalliya* is often a three-member gang of family members or relatives. Sometimes, individuals of the same village or community come together to form a *kalliya*. This social grouping is primarily based on biological or communal relationships. Mutual trust and togetherness are considered to be the foundation of this social grouping.

10 A quill is a 42-inch stick of peeled and properly dried cinnamon bark. The barks are rolled and joined longitudinally as well as cross sectionally. The hollow middle of the stick is filled with smaller pieces of bark to make the stick solid.

11 Sorting, grading, and baling of cinnamon quills (sticks well processed and curled cinnamon) are generally tasks carried out by skillful personnel designated as 'balers'. Sorting cinnamon.

the division of labor exists at low or rudimentary levels where the mechanization process or technological development is still to take place or is at a primary level (Breverman 1979; Gunasinghe 1990). Consequently, a worker carries out almost all parts of the work required for completing the production of the commodity. Contrary to this argument, both the peer and proprietary expectations for cinnamon peelers in this context are to be skilled in all tasks and versatile in performing other tasks. These tasks may be peripheral to the core work requirements of production and are considered important in the labor-capital relation. Cinnamon peelers are also expected to be efficient and effective in performance of work.

Therefore, the division of labor is almost non-existent in a *kalliya,* where labor is primarily divided based on gender with a priori notions of a woman's role—i.e., to support skilled male workers to maintain efficiency in peeling to produce as high a volume as possible. However, when necessary, even female members are called upon to take over the core cinnamon-peeling tasks. This leads us to realize that the female labor in the *kalliya* is understood and defined in a framework of patriarchal family notions, norms, concepts, and practices.

In contrast to the traditional mode of production, the division of labor in cinnamon production is showing a significant change in the transformation from the *kalliya* to a *'two-member line'* (peeler and scrapper cum joiner) in shop-floor operations. In this transformation, the traditional cinnamon peeler is separated from fieldwork and reassigned to a constricted work locus on the shop floor (factory operations). With this division, work concerning crop-maintenance tasks and harvesting is reassigned to the 'harvesting gang', a unit of male workers as opposed to the floor operations which are assigned to female workers. This gender redistribution of work locus has been discussed as a phenomenon of 'a feminization of the shop floor' and is further discussed in the paragraphs below. Moreover, the work output of the cinnamon peeler according to the quill's quality of finish, and grading them according to the trade and internationally accepted quality standards, is followed by neatly and firmly bundling them into bundles of cinnamon sticks or quills. Baling is only carried out by skilled and knowledgeable personne is redefined to objectivize the management requirement of producing cinnamon according to buyer specifications, or to produce as efficiently as possible and thereby reduce the unit cost of production.

Braverman (1974) emphasizes that in, the process of labor being established in a capitalist system, the work and tasks of producing a commodity are divided according to the normative discourse and intention of the management-agency for representing the production intent and interest of the investor; viz., the capitalist. In the case of the present study, the factory supervisor's role was

found to be determined by the company management for delivery and representation of their corporate objectives. The supervisor was thus compensated for realizing these objectives by taking over the role of overseeing the workers and assuring the production targets were met to maximize profit for the company shareholders.

In contrast to the *kalliya*, a cinnamon peeler in a line (and on the shop floor) has given up the capacity for autonomy and power of control over work and conceptualization (Braverman, 1974). The labor in a line is decided not for benefitting the *kalliya* or its members—the cinnamon peeler; rather, it is for the sole purpose of increasing returns to the company, or in other words those who own capital that has been invested. Thus, labor becomes a component of the capital while the management functions on behalf of the capitalist to take decision on how the work is to be (re)organized and in what process it should be followed in the production. The supervisor thus reflects the agentic role of (re)organizing work on the shop floor, which is entailed by the company for its wealth accumulation. For instance, the workers would quite often seek advice from the supervisor. Pre-work detailing sessions, between the supervisors and workers, are a disciplinary requirement of the shop-floor workers. There, the supervisor has the authority to decide and instruct the targets comprising both quality of the finish and the daily quantity to produce.

The cinnamon peeler's work locus is reorganized into five work categories according to various competencies, which have been defined and decided on by the management. These categories are: sorting and grading, stacking firewood, heavy work, fine cinnamon peeling (Alba grade), and peeling other grades of cinnamon. Consequently, the *kalliya,* the social grouping of the traditional work setting, has been transformed and reorganized into 'work teams', while the harvesting and fieldwork in the plantations are assigned to 'gangs' (but literally this is not *kalliya*).[12] Several 'lines' of the shop-floor operations comprise a work team. In contrast to the *kalliya,* lines and work teams comprise only female workers. The shop floor has been compartmentalized according to the production process, which is significantly different to the *kalliya* in *wadiya*. In the latter, the work-space compartmentalization does not take place; at their

12 The company management has 'employed'people for 'fieldwork'; however, the nature of the employment has to be clarified as either permanent or temporary/contract work. The work entails all crop maintenance and harvesting tasks. These workers are formed as 'gangs'. Each gang has a leader, and work within the boundaries is demarcated according to plantation divisions or blocks. The work is assigned to them as targets and supervised by the assistant manager of the plantation company. In contrast to the 'lines' in the factory, these 'gangs' only comprise men, mostly aged between 20 and 29 years old.

own discretion, the cinnamon peelers station themselves in *wadiya* to carry out work.

## 3 Separation between Work Conceptualization and Execution (Autonomy)[13]

The cinnamon peeler in a *kalliya* enjoys autonomy in decision making, arranging logistics and scheduling work. Often, the instructions of the proprietor to the cinnamon peeler are ad hoc and informal, and the frequency of instructions is comparatively less, resulting in minimum or no supervision of the peeler. The cinnamon peeler possesses the knowledge and skills for undertaking his/her work tasks, which could range from fieldwork operations (including harvesting and essential maintenance of the crop) to processing the final product. In some instances, the peeler could carry out the task of 'baling' cinnamon leaves to produce cinnamon oil. The peeler decides what grade of cinnamon to produce in an undertaking. The proprietor has minimal control over the peeler's decision-making process and very little ability to provide advice on the quality and grade of the produce.

> Braverman (1974), in consonance with Marx, describes that the conceptualization and execution of work are united for workers in a pre-capitalist society. Here, the conceptualization is the ability of a worker (labor) to imagine and organize independently before the work is executed. This ability provides the worker with an autonomy of taking decisions about his/her actions. Braverman suggests that this ability is subjugated in the process of labor commodification and establishment of market managerialism (or in the process of capitalist undertaking); consequently, separating these two abilities subjugates the worker to the capitalist agency for controlling both 'mental' and 'manual' labor. (Braverman, 1974, pp. 78–79)

In the transformation to shop-floor worker, the cinnamon peeler has foregone the knowledge and skills (labor capacity) of conceptualizing and undertaking the entirety of the work locus. In a move to counter labor power, the management has transferred this technical ability to agents with designated authority

13 Braverman (1974) finds the ability of a worker to imagine, organize, and execute work is part of his/her autonomy.

over labor and work supervision and control; i.e., 'field officer' and 'factory supervisor'.

Decisions pertaining to what grade to produce, product quantities, and delivery deadlines for shipment are made by the company's Chief Executive Officer (CEO) and marketing and sales teams. The decision then falls into line with these specifications and conditions. The CEOs office formally notifies and instructs the manager in charge of the plantation and factory operations through fax or e-mail. The order then transforms into a target, setting in motion the shop-floor operations through the chain of command.

Braverman says that the changes caused by the labor process transformation does not only affect the economic relations, but also the social relations in the industries. Gradual subjugation of the cooperative work normative by the managerial normative comprising workplace routines and disciplines has been observed by Adesina (1991) and Oladeinde (2007). The observations made in the case of the cinnamon-processing factory support this argument or vice versa. The work routines therein are driven by the factory supervisor.

### 3.1 *Transformation from Apprentice Practical Learning to Training and Development*

In times past, the art and craft of harvesting and peeling cinnamon were passed down from older to younger generations. The training was informal, apprentice-based, and 'on-the-job'. Often the leader of the *kalliya* is called '*basunhaya*' (master craftsman or master peeler). He leads the process of training the apprentices, generally known as '*golaya*'. Training a *goloya* is a long process of stiff supervision and teaching. The training culture carries elements of patriarchal norms. It is said that as a way of correcting practices and teaching the apprentice, the master peeler would not hesitate to use corporal punishment.

Very little (or only trivial) technological advancement has occurred within the cinnamon industry, despite the transition that has taken place during and after colonial governance (Gunasinghe, 1990; Jayawardena, 2000; Dewasiri, 2007). The introduction and establishment of capitalism in the Sri Lankan context were skewed and incomplete; with feudal structures (Gunasinghe, 1990) and practices remaining entrenched (Dewasiri, 2007). The apprentice-based training and development (originating from feudal practices and premises) continue to exist within the *kalliya* (amongst the traditional peelers), even though some changes have been made during the past decade or so. The *kalliya* provides a structure for these workers to continue their 'tradition'. In the absence of management or managerial functions in the production line and the continued existence of these workers'autonomy of knowledge and

practices, there is leverage for senior workers to design and execute apprentice training as they see fit.

In the transformation, the training of novices on the shop floor has become a function of the human-resource management division. Hence, training and induction of novices is now the formal responsibility of the factory supervisor. However, coaching and mentoring of novices is carried out by senior workers through 'sisterhood' sessions. These sessions are informal and often squeezed into formal work schedules. A remarkable transformation in this regard has been the feminization of the training culture from the patriarchal one prevalent in the *kalliya*, along the gender lines of the work redistribution. The reasons for this are discussed later in this chapter.

### 3.1.1 Separation between Labor and Autonomy of Work

The autonomy of the cinnamon peeler in a *kalliya* enables them to demand an equity share from the proprietor in the sale of produce. The cinnamon peeler holds an equity of one or two-thirds of the produce or income from sale. Therefore, the peeler usually takes part in negotiations between the proprietor and vendor or intermediary collector.

Thus, the cinnamon peeler has leveraged his labor power[14] by capitalizing on the opportunity created in a context of underdeveloped infrastructure and weak logistics of supplying produce to the market. The social linkage that the cinnamon peeler was able to develop with the intermediary buyer or collector provides him with an advantage over the purely economic relation that this `intermediary buyer maintains with the proprietor. However, later in this chapter another dimension is added to the autonomy which the cinnamon peeler enjoys amongst his/her peers in the *kalliya,* where the relation is peer-polity interaction. The relationship is discussed by considering the interactions

14 An adopted simple definition of one of Marx's profound concepts of labor is labor power. According to cla.purdue.edu/english/theory/marxism/terms/laborpower.html, the labor is the abstraction of human labor into something which can be exchanged for money. The relation of labor power to the actual labor of a private individual is analogous to the relation of exchange value to use value. The system of labor power relies on the belief that the laborer chooses freely to enter into a contractual relationship with an employer, who purchases that worker's labor power as a commodity and then owns the goods produced by that worker. However, the worker is exploited insofar as he has no other option; the capitalist owns all the means of production. Also, the capitalist seeks to achieve the highest possible rate of surplus value, which "depends, in the first place, on the degree of exploitation of labor-power" (747). The capitalist seeks to provide the laborer only enough money to subsist and to produce more laborers (through child bearing).

amongst the cinnamon peelers within and immediate social and political surronundings.

The workers' autonomy is compromised by the management takeover of knowledge and control over the shop floor in the process of shifting from *kalliya* to line. The management as a hierarchical organizational structure has carefully distanced lower management personnel and workers from sales and marketing details. Accessing information for these two categories is restricted to anonymous details encrypted in the form of an order and targets. Thus, information asymmetry has served to provide an additional advantage to the management hierarchy for greater control.

### 3.2 *Social/Structural Change*

#### 3.2.1 Separation between Worker and Means of Production

Knowledge and care about the tools used in the field and in processing cinnamon in a *wadiya* constitute a part of the cinnamon peeler's 'way of life'. The peeler owns all tools required for fieldwork and processing. They come into possession of such tools by using locally available scrap metal and the service of the blacksmith. Often, the peeler has knowledge and ability to advise the blacksmith on the specifications of the tools. However, in shop-floor operations, the management not only provides all tools related to field and factory operations for the workers, but also repairs and, where applicable, replaces them. The workers do not have any ownership or knowledge of how to make or maintain the tools.

Braverman (1974), asserting Marx's theoretical disposition on the labor process, suggests that along the contours of the industrialization or capitalist overtaking of labor power, the intimate connection between the physical objects and other means of production will be distant. This is because, as suggested by Marx, every means of production becomes a property of the capitalist. Although the cinnamon-processing factory allowed the workers to have their own tools of production and to develop some sort of personalization, later the management a-personalized the tools by restricting access to work hours only and pooling them without any marking to identify personal ownership.

### 3.3 *Purpose of Labor*

The cinnamon peeler in the *kalliya* engages in their occupation for the main purpose of maximizing return for himself and their *kalliya*. A one-third or two- thirds equity share of income, incentives for additional volumes, and subsistence expenses are demanded from the proprietor. The sole purpose of applying their skills and knowledge is to maximize the volume produced at the end of the undertaken contract.

For the cinnamon peeler in a *kalliya*, it is all about the volume produced because of the reciprocal return. They and their *kalliya* do not operate on wage motive set by the proprietor by assigning targets. The 'target' set forth by the peeler is in their mind and instead utterly their own will. Again, this emphasizes the bargaining power of the cinnamon peeler for their labor power (as a commodity) demanding part of the surplus of the proprietor, which is gained through use-value (Marx, 2013) in the market.

The work of a cinnamon peeler is hard, tedious, and laborious enough to demand stamina and determination both in the *wadiya* and off in the field (plantations). As one of the peelers commented: "Yes, we can earn well, but it's tough. Have to get up around 5 am and work till late. We have to get up early." Thus, what appeals in this hard and tedious work milieu is the labor power that has been commodified in the market, especially, of the smallholdings (preparatory business undertakings). In return, the cinnamon peeler demands what is more than 'the price' or 'use value' in the market paid through as the monetary share from the returns to the proprietor. The peeler demands 'his and his *kalliya's* freedom' and 'personal life and family priorities'. These 'values' are objectivized and attached to his service offering as he materializes his labor power in the market.

The *kalliya* is not only a mode of labor power for producing cinnamon. It objectivizes the other means as well. Some of these have been discussed already. The other aspect that is however much more abstract and implicit in its manifestation, is the 'the work milieu' it creates for them as peers (as a family, friends, and community) to interact, organize, even politicize through relations.[15]

However, the worker's objective changed dramatically in the shift to shop-floor operations. There, the work is redistributed for maximizing production efficiency by reducing operational overheads, and is objectivized for the workers as targets. The target is provided by the management and sent down through the chain of command to the worker.

On the shop floor of the cinnamon-processing factory, the work distribution was organized/divided according to the production targets. The assistant manager of the cinnamon-processing factory who deputizes the plantation manager expressed that 'the managers study how to increase the efficiency, look at the overheads, and then provide the targets [to the shop floor].

As discussed earlier, the production tasks are at the factory supervisor's discretion, ideally based on his judgement of the workers' skill levels. The

15 In other words, the peer-polity interaction, an archeological concept developed by Renfrew and Cherry (1986).

supervisor informs the production target either the previous night or at the start of work in the morning detailing session. They instruct whether the production should run with the line intact, as usual; or broken, to adjust the work requirement for achieving the target. Therefore, the supervisor subjugates the worker's subjectivity and reflexivity through the managerial instruction of 'target. The worker consequently gives in to the managerial norm of target objectivity and internalizes it as their capacity to work (labor power).

The intention and purpose of the labor become an objective of the capitalist. The objectivizing of the worker is carried out through the agents of the capitalist; i.e., the management. The conceptualization of the work has become the authority of the management. As discussed earlier, the conceptualization and the decision of materializing the work accordingly has become a part of a chain of command which is maintained through levels of organizational hierarchy. The asymmetry of information is used as a control element to retain and fortify the management control along this chain of command. The order therefore becomes confidential and a property of the capitalist which is to be safeguarded by the agents—the management.

## 4 The Reformation of Identity

### 4.1 *Subjectivity and Reflexivity*

Subjectivity and reflexivity are reckoned as a tension between power (structure) and individualization, which is a compensating mechanism for class deprivation (Knights and Willmott, 1989). In this study, the issue of subjectivity of the cinnamon peeler in the transformation from *kalliya* to shop-floor worker is investigated in terms of power which is exerted through social practices and the consequent control as well as resistance of the people to becoming subjects.

Social practices around the cinnamon peeler, in the social and economic setting of the *kalliya*, were designed to counter the social stigma of their caste and to enjoy equitable economic return in exchange for their labor power. Often, the cinnamon peeler enjoyed equal social status to their proprietors in this labor–capital relation. In contrast, the management normative of the planta tion management culture and structure[16] has subjugated the autonomy

16 Management culture and the structure of cinnamon shop-floor operations have taken their cue from the traditional plantation management normative. from staff dress code to formal systems and processes such as organizational structure, finance, and administration, etc.

of the cinnamon peeler in the transformation as a shop-floor worker. The management hierarchy subordinates the social status of the cinnamon peeler outside of the work milieu as well.

### 4.2 *Gender*

The cinnamon peeler accords significant importance to patriarchal norms and values in making sense of (subjectivizing) social relations within and outside the *kalliya*. Sexually oriented tales or stories and idioms with reference to women are used as examples for describing work practices, product quality, and finishes. For instance, the peelers would say "A neat job [baling] is like making an ugly woman a beautiful bride" to describe the standard practice and finish of a cinnamon bale. In another instance, they would say "Once you undress a woman, there is nothing [beautiful] to see." This phrase is used as a trick by both the proprietor and peeler to deceive and convince a vendor to buy mixed grade bale.[17]

In terms of gender roles, women are quite often considered as auxiliary workers in a *kalliya*. The leader of the *kalliya* is essentially a senior male. Female members of the gang (*kalliya*) are often given the tasks of scraping bark, placing peeled cinnamon bark for air drying, filling cinnamon sticks for quilling, removing and dumping waste, cleaning after the day's work, and preparing meals or tea. Interestingly though, these tasks would also be carried out by a *golaya* (apprentice) in a *kalliya*.

The shift from *kalliya* to shop-floor worker lines or teams has resulted in gender segregation of labor due to work redistribution. Fieldwork operations are entirely carried out by male workers, whilst skilled work in the factory is delegated to female workers only. Typically, the management of the industry finds that command and control of female workers is easier for maintaining organizational discipline and order.

The gender segregation of labor and consequent feminization of the shop floor have created a double burden for the women in the capitalistic transformation. In the traditional setting of operations, the division of labor had very little or no gender segregation. The women's reproductive labor was a part of the labor power in the *kalliya*, as it exchanged in the production function. The women take over the work tasks only after their daily care work routines are over. Hence, the reproduction labor is part of the production function. Under the shop-floor operations, however, women's labor is exploited, separat

17 Mixed grade bale constitutes low-quality grades in the middle, and high-quality grades in the outer layer to warp around the earlier grade. The vendor would agree to a price for the bale corresponding to the high-quality quills in the outer layer.

ing, and alienating their reproduction function. The reason, as Beniria (1979) emphasizes, is that the social-reproduction function and women's productive contribution in the transforming capitalist context is conditioned, if not constrained, by sexual (or gender) division of labor and power relations in both the organizational and domestic realms through structure as well as practice. Naidu and Rao (2018) state that the social reproduction of the labor of women and care work, despite their clear contribution to sustain labor power, have long been relegated to the non-productive category of activities.

Female workers are thought to be hard-working, disciplined, and efficient in managing time and completing work with minimum wastage. Because of this gendered work rearrangement, the shop-floor social life has been feminized. This phenomenon is apparent through the shop-floor talk and peer interactions, which demonstrate overt sisterhood amongst the workers. The peers address each other either as *akka* (older sister) or *nangi* (younger sister). Furthermore, the workers have named their groups with names of flowers like jasmine, rose, etc. Even though the training of new workers is typically carried out by the factory supervisor through an orientation process, further training and coaching are carried out by a senior worker (an *akka*), similar to the interaction and relation between veteran and apprentice. However, communication between the trainer and trainee is mentoring and reinforcing, in contrast to the rough and stiff manner of training conducted in the *kalliya*. Even though the shop floor comprises a majority of females, the management is male-dominated and holds all decision-making positions. The supervisor calls the female workers *lamai* or *lamaya* or *lamayo* (children or child) as they are recognized along with the collective identity of "women shop floor workers of localized global factory floor" (Jayawardena, 2014). Jayawardena (ibid.), having observed the shop-floor workers in contemporary industrial processing factories of a Free Trade Zone in the Western Province of Sri Lanka, sees this as a part of localization of the contemporary human resource management practices. The terms, as Jayawardena (2014, p. 290) observes, connote "infantilized female rustic wage labour", and he recognizes it as a part of 'a socio-political assimilation process' of 'managerial normative of the Global North' into "native social discourse" of a society in "the Global South".[18]

### 4.2 *Labor–Capital Relation*

The relation between the capital owner/employer/proprietor-grower and cinnamon peeler was informal, friendly, and mutually respectful. The verbal

18 The terms and explanations marked in inverted commas belong to the author of the original article.

communication between these parties symbolized a society where people of different ages and genders addressed each other by kinship terms such as *mama* (uncle), *nenda* (aunty), *puthe/duwe/lamayo* (son/daughter/child), *aiya* (older brother), *malli* (younger brother), *akka* (older sister), and *nangi* (younger sister). Relations between the peeler and vendor (or middle-man or collector, who was vernacularly called *velenda* or *bicycle velenda*—businessman/bicycle businessman) were also informal and strong. Quite often, the vendor belonged to the same community as the cinnamon peeler, or lived in the same village, or belonged to the same social network.

The peeler capitalizes on the socio-economic relationship between the proprietor and the vendor for his advantage, by using his labor power. There are two possible objectives for the peeler's attempts to be manipulative in this tripartite socio-economic relationship. The first is to assure maximum return to the peeler (by either favoring the proprietor or the vendor). The second is, in case of perceiving an injustice by the proprietor, to covertly resist or punish him by dragging the transaction negotiations until it favors the vendor; and, at the same time, come to a secret agreement with the vendor for a commission which could compensate the peeler's perceived grievance.

Often in the case of one's own area (meaning village or neighboring villages) or one's own people, the peeler ensures the quality and volume of the product, whilst being attentive to the entailing fieldwork of maintenance, both of which are imperative for the endurance of the plantation. The reason behind this care is the presence of a social relationship in addition to the usual economic relationship. Conversely, employers outside the area and the social/kinship network would not enjoy this luxury. In such a case, they would only concentrate on producing the maximum amount of volume because their relationship with the proprietor is purely economic.

Consuming alcohol after the weekly Friday fair (vernacularly known as the *sikurada pola*), receiving 'weekly money' (vernacularly known as *sathiye salli*), and assembling in local taverns and betting centers for gambling are all common practices among the men of the *kalliya*. Meeting at taverns is an important part of their social life because it is an essential part of their fellowship. The peeler uses this as a way to meet other peelers, discuss their work, and also keep an eye on going rates, employers, and vendors. The cinnamon peeler considers autonomy as an important part of his life and social identity. Freedom from work regulations and routines is important for the cinnamon peeler. Even though the work demanded from the cinnamon peelers is laborious, they tend to opt for this job mainly due to their strong desire to assure the free dom for self-organization and self-management of time and work, while freely engaging with their social life.

In the transformation to the shop-floor operations, the cinnamon peeler's relation with the capital owner has become a formal one between employer and employee. Here the worker is supposed to follow a daily routine that is dictated by production targets. Work routines, the formal shop-floor culture, and its social life are all determined by the factory supervisor. The workers are supposed to wear uniforms whilst working in the factory. The recreational activities of the workers are limited to an annual staff outing or recreational gathering. The supervisor encourages and endorses the practice of having 'team leaders'. A shop-floor precedent for workers is to form work teams. The purpose of this grouping is, on the one hand, to consolidate management control over the execution of work orders on schedule; and on the other hand, to control the socializing of workers on the shop floor. The supervisor sets out (informal) selection criteria to choose team leaders for work teams. The shop-floor workers are allowed to form teams and appoint (often older and skilled) female colleagues as team leaders. These leaders informally function as mediators between the workers (shop-floor teams) and the supervisor (management). This is the only channel through which workers are 'allowed' by the supervisor to lobby for their grievances and demands.

#### 4.2.1 Resistance and (Peer-) Polity (Interaction)

The *kalliya* is structured on communal values, amongst which feature trust-worthiness and eagerness to learn and work—essential attributes for the formation of the *kalliya* as a unit or gang. It is the main reason why the *kalliya* comprises either family members including in-laws and blood relatives or at least close friends. The smooth functioning of a *kalliya* depends on these intra-community relations.

The inter-*kalliya* relationship is also an important element for the cinnamon peeler in their work and social life. Between *kalli* (plural of *kalliya*) there is competition for selecting tree rows (*aruwa*) that are easy to harvest in the field and to peel as much as possible in a day. Their motive is to produce as much volume as possible in the shortest period to complete their contract and move on to another plantation to undertake another contract. Despite this competition between *kalli*, there is solidarity amongst them which stems from mutual dependency. The cinnamon peeler considers the competitiveness between *kalli* as a positive factor and part of their social character or identity. When handling grievances, they would not hesitate to resort to measures like abandoning the job in hand. If their demands are not met or conditions are not satisfied, they would threaten the proprietor with discontinuation of the job, because they are confident of being hired by another employer.

The social grouping of the *kalliya* and *kalli* and their social and political behavior could be best described as 'peer-polity-interaction'—a concept in archeology introduced by Renfrew and Cherry (1986). According to this concept, the peer-polity interaction allows the societies with equal status, autonomy, and living in geographically close proximities, to develop a full range of exchanges, including imitation, emulation, competition, warfare, and the exchange of material goods and information. In the traditional mode of production, the cinnamon peelers and the capitalists (proprietors) establish and demonstrate an extra-economic means of transaction.

With the end of British colonial rule, the cultivation of cinnamon was gradually concentrated on the south coast of the country, mainly in Galle District. The people living in this area, particularly those who belong to the *Salagama* caste, continued with both the occupation and tradition of cinnamon peeling. Even though the people belong to other castes subsequently assimilated with them mainly through marriages, as a social group, they have continued with their traditional occupation, coexisting with the other caste people in the same villages. Often the cinnamon peelers are related to the proprietors or belong to the same village community. And they are considered as peers or colleagues rather than subordinates in the labor–capital relation. On most occasions they enjoy the same social status in and out of the work milieu. The peer-polity interaction explains the cohesion, whilst competing amongst the *kalli*. Both these social characters were endorsed by the peers (the cinnamon peelers and proprietors), while implicitly indicating that is what they are! They would continue to maintain this, especially the cinnamon peelers. For the cinnamon peeler, the polity relation is an assurance of their hold over the commodification process of their labor power. These channels were also used as the medium for these peers to exchange information and organize themselves as a group.

The community of the peelers represents an effective, strong, and efficient-social network and interaction. Despite the lack of an institutionalized formal trade association or union, they engage in deliberations, coordination, and implementation of actions and policies affecting their economic interests, and make these decisions in spaces like taverns, funeral houses, and at other communal events. For instance, the policy of sharing one-third or two-thirds of the produce or income for labor has been demanded and maintained by all cinnamon peelers. The proprietors at the time had little choice but to accept their terms due to the scarcity of skilled workers to harvest and peel cinnamon. The transformation to being a shop-floor worker and labor redistribution through alternative social grouping of workers to form the line operating system have weakened cinnamon peelers'bargaining power and under-mined their work

autonomy in the labor process. (In terms of population, the shop-floor workers constitute a minority, in contrast to the traditional peelers, who still dominate numerically). The fellowship of the shop-floor workers has been confined to work teams over which the factory super-visor has complete command and control. He selects team leaders by setting informal criteria for 'high-skilled workers'. The supervisor is tactful in maintaining direct contact and communications with these leaders and endorsing them as the representatives of their team members.

However, subtle resistance from female workers to this rigid order usually manifests itself through a sisterhood-type culture of mentoring in shop-floor operations. Listening to music of their liking while working is another key feature of the shop floor, which indicates the covert and subtle desire of these female workers to break free from the rigid labor process in which they are constantly told what to do.

## 5 Conclusion

The study set out to analyze the changes which have been caused by the modernization of labor in producing cinnamon in the work milieu. It also intended to understand the impact of these changes on workers' identity-formation process as seen in changes to the social rela tions, practices, and reflexivity of their day-to-day work life. The modernization process or shift in the industry was contextualized in the larger scheme of political economy, which has been mainly understood in its historical and current events. The context leading to the shift was apparent in forceful replacement by Europeans of the feudal structures and relations to establish the mercantilist capitalist economy. The cinnamon industry, in this context, is in the process of shifting from the traditional means to modern factory operations to be compliant with the international trade and market requirements of international trade agreements ratified following the adoption of liberal economic policies in 1977. The modernization process of the cinnamon industry was reframed and understood on this basis.

The process of labor change was analyzed according to the categories of labor division, managerial takeover, subjugation of labor autonomy, conceptualization, and execution of work, learning and development, changes between labor and means of production, and the purpose of labor. Gender, interrelation between the labor and capital, and resistance/peer-polity interaction were used for analyzing the subjectivity or sense making of the workers in the labor-process change.

The transformation from traditional to modern was observed to be externally induced by the multilateral and bilateral trade agreements between Sri Lanka and the WTO in 1995, and at the same time conditioned by the trade compliance requirements for food safety and other non-tariff requirements in the international markets. This observation was consolidated by further observations of resistance from traditional cinnamon peelers as they adapt to the changes in their industry.

### 5.1 *Kalliya*

The findings present the *kalliya* as an autonomous bloc with the ability and capacity to conceptualize and execute all production-related activities/tasks without or with minimum supervision. The structure and relations of the group are similar to that of a clan and are centered on patriarchal norms. Artisanship and labor scarcity are capitalized on work autonomy, which in turn is used to bargain with employers to demand fair returns on their labor surplus (labor power).

### 5.2 *Peer-Polity Interaction*

The *kalliya* demonstrates a unique labor formation with collective bargaining through informal/social networks and mechanisms, featuring swift communication/coordination of decisions through meetings at weekly fairs, taverns, etc. Factors that could have contributed towards making the network of cinnamon peelers resilient and effective include the presence of a majority of smallholders, the lack of cordiality between them and larger plantation owners, and the scattered and unstructured leadership of the group.

### 5.3 *The Change in Labor Process*

The findings also suggest that the transition from *kalliya* to shop-floor worker has subordinated labor or work autonomy to managerial norms. Consequently, separating conceptualization from execution, processing from harvesting, and confining the work locus to the factory floor have all resulted in a severe weakening of cinnamon workers' bargaining power. The autonomy of work, in contrast to *kalliya,* has been reduced and has compromised the advantage over the labor power, which is used by the cinnamon peeler in the *kalliya* to bargain their fair share of the surplus.

The *kalliya* has become a line, a two-member team comprising a peeler and a joiner/scrapper. Their autonomy is subjected to the buyer's specifications and demands. The worker is led to objectivize their work to reduce the unit cost of production and to maximize profit for the capital owner. The redistribution of work aims to increase efficiency of the production process. However,

in contrast to the traditional labor process, work distribution has increased non-productive/non-value-adding tasks in the labor process through the chain of command. The chain of command has been derived from the plantation management normative without being tested for suitability to the intrinsic requirements of the cinnamon industry. It has been utilized for maintaining information asymmetry to provide an additional advantage to the management hierarchy in maintaining operational control. Recruitment, hiring, induction, and training of novices have become a part of the management's responsibilities.

### 5.4 *Impact on Subjectivity/Reflexivity*

In spite of these formal procedures, the traditional norm of apprentice training continues to exist on the shop floor, though now as a feminized endeavor of 'sisterhood sessions'. The relation of the cinnamon peeler with work and capital has become an economic one, with characteristics of a formal employee–employer transaction. The social relations on the shop floor have been controlled and conditioned by the management through work teaming and appointment of team leaders. Although the gender segregation of labor led to feminization of the shop floor, and has become a key feature of the transition which is quite contradictory to the *kalliya* patriarchal normative, control over the shop floor is nevertheless retained with the male-dominated management hierarchy or chain of command on the assumption that females are easier to control. Hence, one can observe a continuation of patriarchal values in the industry.

### 5.4 *The Overall Impact*

The objective of shifting to shop-floor operations was to elevate production standards to comply with food-safety certification requirements to integrate with global value chains. It was also believed that this would increase the global competitiveness of the industry. The resistance from traditional cinnamon peelers at the outset implies that this transition has on the one hand been forced on them (with the additional disincentive of threatening their labor power); and on the other hand, would not accrue any spill-over economic benefits to them. The overall impact of the transition has been the subjugation of the autonomy of the cinnamon peeler to conceptualize, execute, and demand equity. As a result, the management takeover of the production process has diluted the bargaining power of the cinnamon peeler.

The labor-process adaptation in the transition of the Sri Lankan cinnamon peeler is unique. The labor process was supposed to induce or be conditioned by 'adequate technology' (Braverman, 1977). However, in the case of the

cinnamon industry, there has been no significant improvement in the technology or even the work methods. Compared to a traditional cinnamon peeler, the shop-floor worker is less skilled and knowledgeable in producing cinnamon with superior quality grades like Alba (reckoned to be the world's best quality) and Continental-Grade (C) 5-Special. Moreover, a traditional cinnamon peeler, in a day, producers over 3 kg of $C_5$ grade cinnamon on average. By contrast, a shop-floor worker could only produce about 2 kg of $C_5$ per day.[19]

Thus, the change is only from the makeshift production infrastructure of the *wadiya* to a permanent, dedicated, and production infrastructure of the factory. However, the most significant change to the labor process change occurs in management or introduction of it as a function of the production or the management takeover. Ironically, the change of labor process has not resulted in any observable improvement to the labor efficiency in such a way as to increase production output. The chain of command in the HWP company was found to be a hindering factor rather than a catalyst for efficiency.

However, the findings conform to Braverman's theoretical disposition that suggests that labor power subjugates or weakens after the separation of work conceptualization from the execution (and subsequent control over conceptualization by the management). The shop-floor worker's ability to conceptualize and carry out all tasks has been taken over by the factory supervisor. The worker becomes specialized on one set of work tasks and activities; which leads to reduction of their labor power compared to the traditional cinnamon peeler; consequently, subjugation of the autonomy of work. At the shop floor, the workers frequently seek instructions from the factory supervisor for carrying out tasks.

In the discussion of the subjectivity/reflexivity, Knights and Willmott (1989) suggest that the identity of the worker (re)shapes the labor–capital relation at the point of production. Alvesson and Willmott (2002) find this (re)shaping is a way of organizing control to 'regulate the worker's sense making'. On the shop floor, the workers become obedient and disciplined in following the instructions given by the factory supervisor. By contrast, the traditional cinnamon peeler is independent in organizing and executing their work and would not hesitate to resist and even punish the proprietor in case of a grievance. Alvesson and Wilmott (ibid.) find this to be a way of organizational control over individuals to regulate them in the work milieu.

19 The figures and comparisons are based on a personal communication with Wijith de Zoysa Jayathilake (September 2016) and the field observations of the author in the field between 2011 and 2016.

### 5.5 *Significant Learning and Future Research Implications*

The findings of the present study provide an alternative and critical view about the role of management in increasing workers' efficiency and productivity. It is contrary to the notion that suggests the division of work increases the efficiency and productivity of output. Also, the findings suggest that in modernizing the labor process of a semi-feudalistic society, the gender segregation of the work milieu persists to be under the structural control of patriarchy and (re)formed through management traditions, norms, and practices.

This chapter was delimited to examining the peer-polity relation' of the traditional cinnamon peelers. Moreover, it could not examine deeply enough the peer interactions in and outside the shop floor. These issues would be interesting for future research endeavors to pursue, focusing on the cinnamon industry. These topics would provide an opportunity to understand the socio-political structures and practices, which could be unique to the cinnamon peelers and other social (peer) groups within and outside their geographies; and the social and political mechanisms, which (re)formed in negotiating, countering, conflicting, and harmonizing economic, social, and political interactions and relations. The dynamics of these intra- and inter- peer relations, the factors affecting them, and critical changes that have been created in the changing political economy, trends, and possible eventualities are worthwhile research questions to be probed in future endeavors.

## References

Adesina, J. "The construction of social communities in work: The case of a Nigerian factory." *Capital & Class* 40 (1991), 115–145.

Alvesson, M. and H. Willmott. "Identity regulation as organizational control: Producing the appropriate individual." *Journal of Management Studies* 39 (2002), 619–644.

Beneria, L. "Reproduction, production and the sexual division of labour." *Cambridge Journal of Economics* 3 (1979), 203–225.

Braverman, H. *Labor and monopoly capital. The Degradation of work in the twentieth century. 25th anniversary edition* (New York, NY: Monthly Review Press, 1974).

Dewasiri, N. *The adaptable peasant: Agrarian society in Western Sri Lanka under Dutch rule, 1740–1800* (Leiden: Brill, 2007).

Geeganage, A. "Sri Lanka's role in the World Trade Organization." *International Journal of Business and Social Science* 4 (1) (2013), 137–157.

Gough, I. "Marx's theory of productive and unproductive labour." New Left Review I/76 (1972), 47–72.

Gunasinghe, N. *Changing socio-economic relations in the Kandyan countryside*, (Colombo: Social Scientists'Association, 1990).

Hammersley, M. and P. Atkinson. *Ethnography, principles in practice*, 3rd edn. (Abigdon: Routledge, 2007).

Jayawardena, K. *Nobodies to somebodies: The rise of the colonial bourgeoisie in Sri Lanka* (Colombo: Social Scientists' Association and Sanjiva Books, 2000).

Jayawardena, K. *Perpetual ferment: Popular revolts in Sri Lanka in the 18th & 19th centuries* (Colombo: Social Scientists' Association, 2010).

Jayawardena, D. "HRM as a "web of texts': (Re)Articulating the identity of HRM in Sri Lanka's localised global apparel industry." *Organization Management Journal* 11 (4) (2014), 289–298.

Knights, D. and H. Willmott. "Power and subjectivity at work: From degradation to subjugation in social relations." *Sociology* 23(4) (1989), 535–558.

Marx, K. *Grundrisse* (Harmondsworth: Penguin, 1973).

Marx, K., *Capital: A critical analysis of capital production* (Ware: Wordsworth Classics of World Literature, 2013).

Naidu, S.C. and S. Rao. "Reproductive work and female labour force participation in rural India." *Working Paper Series* 458 (Amherst, MA: Political Economy Research Institute, University of Massachusetts, 2018), available online at https://www.peri.umass.edu/publication/item/download/768_d2e3417c1d8192d7700e0b48d95a8d9f.

Oladeinde, O.O. *Restructuring, management and labour relations: Study of Workplace Relations at NNPC, Nigeria 1988–2007*. PhD thesis, Dept. of Sociology, Rhodes University, South Africa, 2007.

Renfrew, C. and Cherry, J. (ed.). 'Peer polity interaction and socio-political change'. Cambridge: Cambridge University Press, 1986 (viii)179.

# PART 4

## *South-East Asia*

CHAPTER 9

# Hidden Processes of Informalization. Losing Legal Rights in the Cambodian Garment Industry

*Anna Salmivaara*

## 1 Introduction

This chapter examines the realization of labour rights in the global garment industry, by analysing processes of in-fact informalization that are used to exclude workers from legal protection in a hidden manner. To complement previous analyses of informalization in global value chains as capital-driven processes, this chapter examines the role of the states and of workers in contributing to top-down and bottom-up processes of in-fact informalization. In Cambodia, subcontracting and temporary contracts prevent workers from collectively claiming their legal entitlements. In-fact informalization is promoted by the government as a strategy of indirect rule aimed at weakening independent mobilization and ensuring political power. It is strengthened by the workers' gendered needs and strategies of intergenerational wellbeing. Together, informal work and insecure lives discourage collective organisation, which further increases top-down and bottom-up informalization.

The notions of informal and precarious work have emerged in different contexts to denote the absence of what is assumed to be standard: legally protected stable employment. From a historical and global perspective, it is evident that informal and precarious forms of work are the norm rather than the exception (Kalleberg and Hewison 2013; Mosoetsa, Stillerman, and Tilly 2016; Munck 2013). Equally evident is their persistence that prevents most of the world's workers from accessing internationally recognized labour rights.

This chapter examines the contradiction between the labour rights commitments of states and corporations, and the lived realities of contemporary workers. In particular, it draws attention to the phenomenon of *in-fact informalization*, which affects workers who work in the "formal sector", such as the garment factories integrated into global value chains (GVCs). The notion was proposed by Dae-Oup Chang (2009), according to whom the integration of Asian economies into the global factory implied an overarching process of informalization that contradicted the expectations of industrial upgrading. This chapter uses Chang's notion to emphasize the blurred boundaries between different

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types of work and to reject the idea that particular types of work are tied to particular realms of the economy. Nonetheless, the differences between the protection of labour rights in different types of work matter, and this chapter argues that they form a central part of the inequality that GVCs are built to exploit (Phillips 2011).

Research on contemporary Asia has analysed patterns of informality and the role of in-fact informalization in the economic models of the region (Arnold and Campbell 2018; Chang 2009; Hewison and Kalleberg 2013; Kalleberg and Hewison 2013) emphasizing informalization as a process driven by the interests of capital. This chapter complements these analyses by focusing on the embeddedness of informalization in broader historical, political as well as social processes, and examining how it is produced through top-down and bottom-up processes (Phillips 2011). It draws attention to the active role of the state, and builds on perspectives from the anthropology of labour and feminist political economy to analyse workers' attitudes to informal work, as part of a continuum of strategies aimed at sustaining life across generations (Narotzky and Besnier 2014).

The chapter focuses on Cambodia's garment industry, where in-fact informalization is produced through a systematic use of short-term contracts and subcontracting.[1] Previous studies (Arnold 2008; Arnold and Shih 2010; Arnold 2014) have suggested that this is an employer strategy to reduce costs amidst fierce international competition. This chapter broadens the scope to the role of the state and of workers, in order to strengthen understanding about the persistence of the phenomenon and of the challenges involved in reversing it. In-fact informalization appears as a form of indirect rule by the government, aimed at securing political control and regime survival without losing the legitimacy of adherence to national and international law. Furthermore, the chapter calls for a deeper consideration of the fact that many Cambodian workers prefer conditions that in-fact informalize their work. This involves more than false consciousness and immediate need of cash. Workers' strategies are not only defined by individual economic maximization; they also reflect more complex needs and values. In Cambodia, the insecurity of work and the gendered insecurity of life combine to attract workers towards informal work arrangements and effectively hamper collective organization.

1 Other mechanisms of "informalization within the formal" in South and Southeast Asian economies include the use of different forms of labour contracting and special economic zones (Arnold and Campbell 2018, Chang 2009, Hammer 2019, Hewison and Kalleberg 2013, Masina and Cerimele 2018, Mezzadri 2010). In Cambodia SEZs are not formally excluded from the coverage of labour law and thus are not as central a tool of informalization as elsewhere.

A key insight that emerges from the analysis is the centrality of workers' collective organization in the processes of in-fact informalization. In a circular logic, informality discourages unionization and the lack of unionization encourages informality both top-down—through lack of political representation—and bottom-up—through a lack of awareness of legal rights and entitlements. In-fact informalization effectively undoes freedom of association and prevents mobilization without Cambodia's government explicitly abandoning its commitments to international labour and human rights normative.

This chapter is based on ethnographic research conducted in Cambodia, mainly Phnom Penh. The main data were collected and produced over 13 months of fieldwork in 2016–2017. I continued discussions with a more limited set of participants during three additional months in 2019 and 2020. Altogether, I have discussed different issues related to labour rights and politics—not limited to the questions addressed in this chapter—in semi-structured interviews with over 120 informants, including garment workers and union activists and representatives of local and international labour NGOs, intergovernmental organizations, supplier and buyer companies, and the Cambodian government.

In the following section, I review theorization of the processes of informalization in global value chains. I then suggest examining the role of the state and of workers by embedding top-down and bottom-up processes of informalization into concrete political and social contexts. Next, I move to analyzing in-fact informalization in Cambodia's garment industry. Adopting a broader scope of the actors that push informalization, and emphasizing the importance of workers' collective organization, the chapter deepens the understanding of how in-fact informalization is produced and why it persists despite resistance by trade unions and the international community.

Before progressing with the analysis, I would like to make a conceptual note. The notions of informality and precarity emerged in different contexts and debates, while some authors have recently suggested using precarity as a concept of broader scope (Kalleberg & Hewison 2013; see also Mosoetsa et al. 2016; Siegmann 2016). In this chapter, the notions are used to refer to conceptually different things. I understand the notion of in/formality as referring to the legal aspects of regulation and the protection of work and workers. I use in-fact informalization to denote the key difference between *de jure* and *de facto* protection, and to indicate that I do not see formal and informal in a dualist sense. By precarity I do not refer to aspects of legality but to experiences of insecurity, uncertainty and instability of work (Kalleberg and Hewison 2013). These conceptual differences affect whether and how the lack of protection is detected and addressed. Finally, I am interested in how informality and

precarity interrelate, as well as in the relationship between precarious work and precarious life (Lee and Kofman 2012; Millar 2014; 2017; Muehlebach 2011).

## 2 Informalization in Global Value Chains

Contrary to the belief that informality would disappear with the advance of capitalist development, the integration of Asian economies into the "global factory" has been characterized by an overarching process of informalization (Chang 2009). The boundaries between formal and informal work have become blurred throughout the region, and precarious work has spread into the small "formal" sectors in which workers used to enjoy a certain level of protection and security (Kalleberg and Hewison 2013; for South East Asia see also Arnold and Campbell 2018). Whereas in the Global North, precarious and informal forms of work have been considered a novel characteristic of contemporary capitalism, there is nothing new about the dominance of these forms in much of the Global South. Rather, as Kalleberg and Hewison (2013) emphasize, old forms of work are put into new use in the contemporary production regimes: to provide flexibility for employers and transfer risks to workers.

The idea that informality is used by capital to increase profit is central in structuralist perspectives on informality. They emphasize an interconnection (Castells and Portes 1989), or a "dynamic structural blending" (Phillips 2011, 382) or interlocking (Hammer 2019) of formal and informal which is fundamentally about subordinating the latter to the former. Flexibility increases competitiveness and productivity, benefitting employers. The formal or "modern" does not absorb the informal; it depends on it and feeds it to increase profit (Benería 2001).

The exploitation of difference and inequality is a central logic of capitalism, and it takes a particular form in the contemporary globalized economy and "supply chain capitalism" (Tsing 2009) in which production is outsourced into global chains aimed at creating value and increasing profit through the exploitation of regulatory, socioeconomic and cultural difference––reflected in variation in labour and other production costs––between different contexts. It is according to this logic that Phillips (2011) suggests that the informalization of work in contemporary capitalism should be understood. The global chains are created to exploit difference, and inequality must be constantly (re) created to enable the continuation of accumulation, and according to Phillips, the increasing informalization and the proliferation of unprotected forms of work are a key mechanism through which this is achieved in the GVCs. In other words, processes of informalization are "not only a side effect of capitalist

expansion"—as GVC studies tend to perceive them—but "also generated for the purposes of driving this expansion" (Phillips 2011, 389).

In the analysis of underlying dynamics and factors behind the patterns of informality in GVCs, Phillips' (2011) notion of the bidirectional processes of informalization is helpful. She suggests that informalization is created in a "top-down" manner—by capital, firms, employers and states—but also through "bottom-up" dynamics, which Phillips (2011) describes using Du Toit & Hickey's (2007) notion of "adverse incorporation". Here, poverty is not seen as a result of exclusion from capitalist processes but rather of participation in precarious terms. According to this logic, work in the GVCs (re)produces vulnerability and chronic poverty instead of enabling long-term security and accumulation (Phillips 2011, 2013).

Phillips emphasizes the circularity of the relationship: chronic poverty enhances vulnerability to further adverse incorporation. Mezzadri & Fan (2018, 1039) criticize Phillips (2011) for making "too direct a link between informality, vulnerability and working poverty", and for seeing the top-down and bottom-up processes as separate. I suggest that considering the role of labour's collective organization adds complexity to the analysis and helps connecting the top-down and bottom-up processes.

While Phillips (2011, 386) mentions that GVCs seek cheap and flexible labour that is unable to negotiate the process of production, she does not discuss further the role of workers' collective organisation in countering the imbalances of power that increase workers' vulnerability. As scholars of labour sociology and geography have shown, weakening workers' collective organization has been a central objective of the globalization of production. Outsourcing of production to the Global South was a response to the Keynesian social compacts that through advanced legal and institutional protections of workers' rights limited capital's opportunities to make profit in the Global North. Globalization resulted from neoliberal policies intended to weaken the trade unions' economic and political power that was behind these costly protections (Silver 2003; Cox 1987; Harvey 2005). From this perspective, organizing production into GVCs is meant to reduce costs by exploiting the existing asymmetries in legal-institutional protections of labour by reducing its economic and political power.

Informality is an effective *means* of weakening trade unions (Kalleberg and Hewison 2013; Webster, Bezuidenhout, and Lambert 2008) as well as maintaining and reproducing workers' disempowerment. The problems that workers in the informal economy face in organizing collectively are typically linked to the lack of an employment relationship and workers' physical and socioeconomic fragmentation (e.g. Agarwala 2013; Kabeer et al. 2013; Mosoetsa et al. 2016).

These factors do not apply in the same way to *de facto* informal workers in garment factories. In fact, the concentration of precarious workers in dormitory regimes can promote solidarity-based collective action (Campbell 2016). For these workers, it is rather the inability to access legal protection—in particular of freedom of association—that impedes collective action, whether to demand wage increases (Hewison & Kalleberg, 2013; Arnold, 2014) or to defend labour rights, as this chapter analyses in the case of Cambodia.

## 3 Politically and Socially Embedded Informalization

In their criticism of Phillips' framework, Mezzadri and Fan (2018) suggest empirically deepening the analyses of informalization processes, in concrete settings and labour relations. This resonates with the perspectives of economic anthropologists who emphasize the analysis of the motives and dynamics behind economic patterns. It enables understanding informalization as not only concerning global economic processes but also as being shaped by cultural, historical and social factors, as suggested by Kalleberg & Hewison (2012).

### 3.1 *Top-Down Processes and State Interests*

Political-economic analyses of informality in contemporary economies tend to focus on the top-down processes of informalization. Nonetheless, their focus is usually on the role of capital in pushing for flexibility, while that of the state is given less attention, reflecting an understanding of informality as a lack of regulation resulting from state failure (Mezzadri, 2010). In GVC studies more generally, the role of the state is often downplayed in relation to that of multinational companies and global actors (Mezzadri, 2010; see also Coe & Jordhus-Lier, 2011; Mayer & Phillips, 2017).

In the context of India, Mezzadri and other authors (Agarwala 2013; Hammer 2019) have drawn attention to how the state contributes to informalization through regulation and policy, aligning with the interests of capital and indirectly legitimizing anti-labour strategies. Another perspective on the state's active role in informalization goes beyond pro-business policy. In his recent analysis of Myanmar, Campbell (2019) suggests seeing that the apparent contradiction between the formalization of some sectors and the persistent informality of others should be seen as a process of selective hegemony (Smith 2011). Rather than being antithetical to legally protected employment, informality complements it as an indirect modality of rule, aimed at precluding claims to legal rights by certain groups of workers. Campbell (2019) suggests that the Burmese state uses partial formalization to achieve goals of

international legitimacy associated with the commitment to labour and human rights. I suggest that this is similar to the logic of in-fact informalization: both are ways of preventing claim-making in an indirect, hidden manner. Deliberately precluding workers' legal claims without explicitly excluding them from legal protection *de jure* enables the state to continue claiming adherence to the international normative.

### 3.2 *Bottom-Up Dynamics and Workers' Needs*

Anthropological perspectives and everyday political economy (Elias and Rethel 2016; Hobson and Seabrooke 2007) emphasize the active role of ordinary people in constructing economic structures. These perspectives have been largely absent in the research on processes of informalization within GVCs, where workers tend to be considered as objects of informalization promoted by companies.

Insertion in informal work is often analysed as a reflection of workers' vulnerability and lack of options. For example Phillips (2011, 2013) refers to the notion of adverse incorporation to suggest that informal work results from being forced to prioritize short term-goals of survival at the expense of longer-term strategies of accumulation. However, alternative perspectives suggest that workers might prefer informal arrangements for a diversity of reasons. Narotzky and Besnier (2014) call for a holistic understanding of the way people in conditions of insecurity organize their economic lives. Instead of individual utility maximization, affective relations are central to their livelihood-related anxieties, which is why these authors suggest understanding the economy as being concerned with processes of sustaining life across generations.

Recognizing that people's insertion and behaviour in the labour market and the world of work is affected by wider life concerns is close to the tradition of feminist political economy that rejects the dualist separation between work and non-work and draws attention to the constant interlinking of productive and reproductive responsibilities (e.g. Bakker & Gill 2003; Elias & Roberts 2016; Federici 2012; LeBaron 2010). Social reproduction of the individual worker, the labour force and society translates into material aspects, such as time-consuming tasks in the care of family members, and persistent cultural conceptions about women's public roles. These shape the position from which workers enter labour markets, trade unions and GVCs.

The gendered division of care responsibilities has a profound impact on work in global value chains and in the continuum between formal and informal. The division is often particularly unequal in the contexts of the Global South. In addition to possibly more traditional gender roles, public care services are not available nor private ones accessible. Women's double responsibility for

the material and non-material wellbeing of their families is exacerbated by poverty.

In this context, informal work might be preferred as a way to reconcile income generation with the responsibilities of social reproduction, due to the flexibility it offers in terms of working hours and distances (e.g. Gallaway and Bernasek 2002; Mitra 2005). For example, research by de Neve (2012) shows how in India, work in informal sweatshops is—for women—a way of enabling participation in paid employment in the first place. For young male tailors, in contrast, flexibility is about personal freedom.

The gendered impact of care responsibilities—the need to ensure life across generations––and the overall condition of insecurity together determine the aims and strategies according to which people engage in different types of work. This highlights how the relationship between precarious labour and precarious life (Millar 2014; 2017) is more complex than the linear link between poverty and informality that the idea of adverse incorporation suggests. As the analysis of the Cambodian garment workers shows, working in GVCs is determined by gendered needs and values that go beyond economic considerations.

## 4 In-fact Informalization in Cambodia's Garment Industry

In the 1990s, Cambodia emerged from decades of violence, civil war and political isolation. The post-Cold War liberal consensus was reflected in the development model that the international community introduced in the country. Democratization was to go hand in hand with market liberalization, and export-led growth was sought on the basis of ready-made garment production.

In the 2010s, the garment and footwear industry accounted for between 70% and 75% of the country's total merchandise exports. The over 600 licensed export factories are owned by Chinese and other Asian companies. Around 80% of the 640,000 workers are female (ILO & IFC 2018). Each garment worker supports approximately five dependents (Lawreniuk 2017). Work in garment factories is the main route for Cambodians with low levels of education to access formal wage employment.

The garment industry is the only sector with a legal minimum wage, and it is not uncommon for Cambodians to believe that labour law only applies in this sector. This is due to the existence of a hybrid governance system that leads to a much higher protection of labour rights in this sector than the rest of the Cambodian economy. Labour inspection is weak and under resourced, but in the garment sector its absence is compensated by the ILO-led monitoring program Better Factories Cambodia (BFC) (Polaski 2006; Ward

and Mouyly 2016). This has resulted in a relatively high awareness of the labour law and respect of basic provisions in terms of wages, working hours and the use of child labour. Nonetheless, the program is often criticized by Cambodian labour activists, who consider another institution of labour rights regulation, the tripartite Labour Arbitration Council (AC) much more central to their strategies of defending workers' rights (Salmivaara 2018). Due to the overwhelmingly corrupt judicial system, the AC is the forum to which trade unions take cases of labour rights violations. The institution was originally created by the ILO and it is independent from the ruling party's political patronage (Noord, Hwang, and Bugeja 2011).

In practice, the enforcement of AC awards as well as the follow-up of BFC monitoring reports depends on the buyers, international garment brands that purchase the clothes sewn by Cambodian workers. They have *de facto* become the main implementers of international and national labour law in Cambodia (Salmivaara 2018). According to Cambodian labour activists, their presence enables them to organize and defend garment workers' rights in a way that is not possible in the other sectors.

Although the international garment sector constitutes a protected exception within the Cambodian economy, work in the industry is increasingly being *de facto* informalized by outsourcing production to subcontractor factories and using short-term contracts. This trend has been analysed by Arnold (2008; 2014) and Arnold & Shih (2010) as an employer strategy to reduce costs amidst fierce international competition, and a break from a previous commitment to international labour rights. In the following, I briefly present the patterns based on previous research, complementing it regarding recent developments. I then proceed to analysing how in-fact informalization prevents workers in formal employment claiming the legal protections to which they are formally entitled. I complement previous analyses with a focus on the top-down and bottom-up processes beyond the role of employers.

### 4.1 *Subcontracting*

Licensed export factories might subcontract a part of their production to other factories, either officially or unofficially. In the first case, the subcontractor must be audited and approved by the buyer. Big export factories might have dozens of subcontractors, and a representative of the Garment Manufacturers' Association (GMAC) describes subcontracting as "part and parcel of the industry", a response to the pressures of buyers' fluctuating orders and unreasonable volumes and timelines (interview, 2016).

Subcontracting appears to have substantially increased during the last decade, but data are scarce. Representatives of the largest independent union federation,

CCAWDU, raised their estimate of around 200 unlicensed factories in 2011 (Arnold 2014) to 400 in 2017 (author's interview, 2017). A recent study conducted by the ILO also observed an accelerating growth in subcontracting. The difference between the number of export licenses and the establishments registered at the National Social Security Fund (NSFF) had tripled in only two years—from 82 factories in 2014 to 244 in 2016. Furthermore, labour force survey data suggested that 27% of all garment workers work outside the export factories (ILO 2017).

However, the figures of the NSFF probably only cover official subcontracting. According to a Labour Inspection advisor, the institution has no way of knowing about the establishments that do not register with the NSFF, especially in rural areas (interview, 2016). Unauthorized subcontracting to unregistered factories—or "small factories" as the workers call them—remains in the dark. They have no name displays and might operate from homes, warehouses or industrial buildings, or change location regularly(Fair Action 2015; ILO 2017; see also HRW 2015).

Labour conditions are worse in the these locally selling factories. The subcontractors are not monitored by the BFC, despite the issue having been under discussion already in 2011 (Arnold 2014). This means that violations of the law are not detected or sanctioned. In the absence of independent unions,[2] awareness of labour law among workers is low and they are unable to seek protection from the AC when their rights are violated. An alternative source of legal support are the labour NGOs, but these seldom reach subcontracting factories. They tend to find out about problems at a subcontractor only when the factory closes and some workers seek the NGO's help to recover what the employer owns them.

Formal organising is not possible in subcontracting factories. Discrimination against independent unions is extremely common in Cambodia, and organization is feasible only when protection against dismissals can be sought from the AC. This requires the existence of reputation-conscious buyers; visible international brands committed to enforcing labour rights—including freedom of association—in their supply chain. This is why independent unions base their organization efforts on mapping the suppliers of "good buyers". It is thus not only the absence of public and private monitoring that prevents workers in subcontracting factories enjoying their legal entitlements, but the absence of independent trade unions which implies a weak awareness of legal rights and an inability to defend them collectively.

2 The term "independent union" is used in the chapter to refer to unions that belong to federations that are not aligned with ruling party. This is a small minority, as ten out of 13 trade union confederations are aligned to the government and their leaders might hold positions as high-ranking ministry officers or government advisors.

### 4.2 *Short Term Contracts*

Cambodian labour law recognizes two types of work contract, the undetermined duration contract (UDC) and the fixed duration contract (FDC). In the early 2000s, UDCs were the norm in the garment factories. The situation began to change after 2005, which Arnold (2008; 2014) links to the heightened international competition that, at the end of the WTO quota regime, forced the industry to seek new ways to maintain profits and avoid demands of organized workers.

Already in 2011, it was common to recruit all new workers on fixed term contracts (Yale Law School 2011) and in 2015, around 80% of export factories employed most of their workforce on repeated two- to three-month contracts (Fair Action 2015). Employers promote FDCs through a mix of pressure, manipulation and threats, sometimes in collaboration with government or employer-controlled trade unions (HRW 2015; Yale Law School 2011). Many activists believe that factory closures are increasingly being staged to convert entire workforces to FDCs.

The legality of repeated short-term contracts has been a major dispute in Cambodian labour rights governance. According to the Labour Law's Chapter 67, the total length of repeated FDCs cannot exceed two years, after which a contract is automatically considered permanent. This has been confirmed in numerous Arbitration Council rulings since 2003. Nonetheless, the Ministry of Labour has stringently rejected this interpretation, claiming that the law's two year-maximum only limits the duration of a single contract. In 2009, the government attempted to amend the Law to confirm the latter view, but the initiative was opposed by the unions, labour NGOs and their international partners (Yale Law School 2011), and some buyers. It was not passed, but the government continues to firmly defend this view.

The FDCs decrease certain legal entitlements compared to UDCs (Arnold 2008; Fair Action 2015; Yale Law School 2011): The annual and sick leaves as well as maternity and seniority benefits are calculated on the basis of months of continuous service. However, the inability to accumulate seniority is compensated by a 5% severance payment at the end of each temporary contract. In addition, the termination of an FDC requires a shorter notice period and lower compensation, which is not significant in practice, since the employer can simply opt not to renew an FDC at any time.

The indirect, or *de facto* impact of FDCs on workers' rights and benefits is more dramatic. The constant threat of non-renewal prevents workers claiming any of their legally guaranteed rights. The following example describes these dynamics at Star Fashion, a medium, -sized factory in a village of a province neighbouring Phnom Penh. I interviewed 19 current and former workers in January 2017.

## 5 Short-term Contracts Prevent Rights Claims

Star Fashion produces garments for several European brands. When it was opened in 2013, all the workers were hired on permanent contracts. The problems began in 2014, when the workers attempted to choose a worker representative. When they informed the management about the election, the main candidate was dismissed. The other workers decided to start a solidarity strike to protest this decision. Additional demands such as salary increases were later added. The company responded by dismissing another 14 workers. Over 500 workers participated in the protest, but as time went by and the management did not agree to negotiate, some returned to work. The workers asked an independent union federation for help. When the federation approached the factory, their legal officer was arrested by the local authorities. More workers were dismissed.

After three months, the strike ended with no results. Because the workers had not been able to register their union, they could not take the case to the Arbitration Council, which requires such registration for a collective case. The workers who had been photographed during the protest lost their jobs permanently. Those who were re-employed were given short-term contracts. The factory no longer hired permanent workers.

The workforce now consisted of two groups of workers. Those with permanent contracts, recruited back in 2013 when the factory was opened, were in a privileged situation, because their job security decreased the management's ability to threaten. They were able to claim their legal rights, such as paid maternity leave, or refuse illegal overnight shifts.

The vulnerable situation of the second group, the workers on fixed-duration contracts, was used as a mechanism of control by the management. Workers were threatened with non-renewal for different mistakes: being late or failing to reach production targets, asking for leave or maternity benefits or refusing excessive overtime. The threats were occasionally reinforced by formal written warnings. The workers feared losing their jobs because there were no other factories in the area. Several generations of family members were dependent on their salaries. Most families had large debts and the repayments and high interest rates required regular income.

Similar experiences of FDC-related labour rights violations and opposition to independent organizing are common in the narratives of workers and labour activists in Cambodia. The example of Star Fashion shows how temporary contracts are used to punish workers and to prevent their claim-making. It also illustrates how the strategy is intimately linked with the precarious life conditions of workers and their gendered responsibilities of social reproduction. Across this highly feminized industry, employers use temporary contracts

to be able to detect pregnancy in time to avoid paying maternity leave costs. As one federation-level leader explained:

> When you go to find a job, [you get] a three-month contract. If you are good and you are not pregnant, you can renew. But if you are pregnant (…) they will end your contract. (interview, 2017)

Arnold and Shih (2010: 417–8) note that employers in Cambodia use informal/flexible labour to maintain or increase profits and to "avoid the demands of organised workers". Importantly, this does not happen *de jure*: according to the law, temporary workers have the same right as permanent workers to form trade unions. The impact is indirect and results *de facto* of the combination of the "in-built insecurity" of the temporary contracts (Fair Action 2015) and the precarious situation in which workers seek to ensure the survival and wellbeing of several generations of family members.

At Star Fashion, temporary contracts were put in place to prevent efforts to organize. In other cases, they are used to eliminate troublemakers when prevention has failed. This was what happened to Vuthy, 29, who organised an independent union at another factory in the same province. The company rejected the union registration letter and management began following Vuthy, the newly chosen union president, at the workplace. Vuthy told me: "*They waited until the end of my two-month contract and then they told me that there was not much work and they had to finish my contract*." The same happened to the vice-president and other 20 union members. All had short contracts despite having worked in the factory for years.

I have heard countless accounts of retaliation against independent unions and the resulting vulnerability. The situation is dire: Even when the dismissed activist has a permanent contract, it is hard to prove that the termination was motivated by union discrimination. If the activist has a temporary contract, the employer is protected from allegations of anti-union behaviour and possible buyer involvement. A former union leader explained how this strategy has come to replace open discrimination:

> In the past, if there is union or worker representative at the workplace and they are active in demanding benefit for workers, the employers just immediately dismissed them. But now they change. They still discriminate the union but they don't want to [get caught], so they use the short term contracts. If they see that someone is active and a union leader, and they don't want a union in the workplace to ask for more benefits, they just don't renew the contract. (interview, 2017)

This also weakens unions indirectly as it affects permanent workers' ability to organize. When a large part of a factory's workforce is afraid to join the union due to short-term contracts, it is difficult for the union to reach the legal criteria of representativeness required for collective bargaining (and after the trade union law of 2016, also for representing workers at the Arbitration Council).

Arnold and Shih (2010; also Arnold 2014) consider FDCs a major challenge for union organization and workers' livelihoods in Cambodia. They also prevent the efforts of independent unions and NGOs to defend workers' legal rights. One experienced female organizer described how the combination of insecurity of work and life deters organization in practice:

> When I try to meet with [workers] they are very worried, and they call me back: 'Oh but what if they don't renew my contract?' All are very afraid. The short-term contract is the biggest problem! And when workers have a loan, they are in debt and need to pay every month, so if they are dismissed they cannot make the transactions … So this is the real worry. (interview, 2017)

The risks are aggravated by the burden of social reproduction and the need to ensure family wellbeing and survival. In Cambodia, social reproduction falls exclusively on women, and this entails both material and non-material obligations that follow women even as they migrate from the rural areas to work in factories.[3] Women's non-traditional roles and their work in the garment factories is accepted because of their contribution to intergenerational wellbeing that forms a continuation of their roles in social reproduction and care of family members (Salmivaara 2020) in a monetized form (Green and Estes 2019). Daughters in particular are expected to financially support their parents and this responsibility is exacerbated in the context of the widespread over-indebtedness of the rural population amidst the world's highest levels of microfinance saturation (Parsons et al. 2014). Care responsibilities imply significant time constraints for possible union activism, which is often opposed by the families ––and male union leaders (Salmivaara 2020). The wellbeing of several generations depends on the garment jobs, leading many female workers to avoid risks associated with activism and open resistance. Naila Kabeer (2004, 24) calls this a trade-off "between access to employment and conditions of employment".

3 The responsibility thus remains, despite the spatial detachment that Masina and Cerimele (2018) consider an externalization of the costs of social reproduction in Vietnam's dormitory regime.

To sum up, the prevention of claim-making and unionization adds complexity to Phillips' (2011) view of bottom-up informalization as a tacking between poverty and informality. The combined effect of the insecurity of work and the gendered insecurity of life is to hamper collective organization and to create incentives to accepting informal and unprotected work. The implications reach beyond the workplace. At the societal or political level, the absence of collective representation of workers' interests furthers injustice. Unions cannot function without legal protection, and labour's political power is needed to push for such legal protection in the first place –just as it was in the Global North in the era of the social compacts (Kalleberg and Hewison 2013). This makes evident the centrality of workers' collective organization in both the bottom-up and top-down dynamics of informalization, and in connecting the two.

## 6 Top-Down and Bottom-Up Dynamics of In-fact Informalization in Cambodia

### 6.1 *Interests of the Government*

Cambodian government has played a key role in allowing and actively promoting in-fact informalization, as illustrated by its stringent opposition to the Arbitration Council's legal interpretation of the two-year limit of FDCs. The government's position provides support to the employers, who claim that subcontracting and short-term contracts are needed to provide flexibility and cost-efficiency to ensure the industry's competitiveness (e.g. Yale Law School 2011; Arnold and Shih 2010). This is not uncommon in garment-producing countries (e.g. Mezzadri 2010).

As mentioned, Arnold and Shih (2010; see also Arnold 2014) see the proliferation of subcontracting and FDCs in Cambodia as an employer strategy of competitiveness in the post-quota world. Although the employer organization GMAC's close relationship with the government is well known among labour actors in Cambodia and acknowledged in several studies (e.g. Arnold 2014; Ward & Mouyly 2016; Salmivaara 2018), the government's position is hardly a reflection of a mere pro-employer agenda. The independent labour movement has been the most important mobilizing force that has publically challenged the government in the last decades, and weakening its ability to organize is in the government's direct interest of maintaining its power.[4] The proliferation

4 The threat of an alliance between key union federations and the main opposition party in the months long protests that followed the 2013 elections was perceived as a major threat to the governing party's 30-year rule (Salmivaara 2018), and triggered a wave of restrictions of

of FDCs was preceded by a period of open anti-union policy that culminated in the assassination of several trade union leaders in 2004. This raised international outcry, which according to some Cambodian activists and observers is what led to a change in the government's strategy towards the unions. The threat of violence against union leaders—and other civil society and opposition activists—gave way to a more subtle approach, in which the weakening of independent unions was sought through FDCs and aggressive expansion of government-controlled federations. In an interview, one former union leader and long term-observer reflected on why FDCs were not used at the beginning of the industry: "*I think they didn't expect the movement. It was only after the killing of Chea Vicchea in 2004 that the government strategy changed*." Furthermore, some activists believe that the idea of using FDCs actually originated among government officials who encouraged the employers to using them. Several interviewees suggest that the government looks at the Vietnamese example in seeking to build corporatist control over the trade union movement that would enable it to claim to respect freedom of association *de jure* while preventing independent mobilization *de facto*.

In this light, rather than a break from earlier "decent work' principles" (Arnold & Shih 2010, 420), the systematic use of FDCs seems to form a continuation of the government's policy of seeking external legitimacy through a cosmetic commitment to labour rights (Ward & Mouyly 2016). In the early 2000s, "decent work principles" were promoted simultaneously with a violent repression of labour activists. In-fact informalization appears to be a less violent way of precluding workers-citizens from enjoying freedom of association, similar to the indirect rule of the selective hegemony analysed by Campbell (2019) in Myanmar. In-fact informalization prevents workers from claiming their legal entitlements despite being in formal employment. Everything looks good on chapter: Workers receive the minimum wage and basic legal benefits. The indirect impact of FDCs on workers' ability to make claims does not emerge in buyers' audits or BFC monitoring visits. No international standards are being directly violated.

### 6.2 *Preferences of Workers*

The employer side often justifies the use of short-term contracts by saying that workers—or trade unions—do not want permanent contracts. This is not totally baseless: there have even been protests in which workers' have demanded FDCs. Although these might have been organized by unions aligned

political freedoms, including the restrictive trade union law of 2016, that culminated with declaring the main opposition party illegal prior to the 2018 elections.

with the employers or the government, they provide justification for inaction by the actors who benefit from the situation.

The idea of workers preferring FDCs is rejected by independent unions and labour NGOs who note that workers are not given a choice between different types of contracts when hired. Rather than resulting from voluntary of informed choice, FDCs are imposed by employers who threaten and manipulate workers or offer them money (Yale Law School 2011; Arnold 2014). Workers' lack of awareness plays a role. As one NGO worker told me: "*if a worker comes from the countryside, and knows five other workers and they all have STCs, they don't know about anything else*". Individual workers who are unaware of the law and have no support of a trade union are seldom able to claim formal entitlements such as permanent contracts.

An example of this view is the report by Fair Action (2015, 14) that argues that FDCs are chosen voluntarily only in "rare cases" characterized by an urgent need of cash, fear of factory closures and poor understanding of the difference between contract types. Importantly, though, these conditions are hardly exceptional but describe the reality in which most Cambodian garment workers make decisions regarding work—as part of wider considerations about life and intergenerational wellbeing. Preferring an FDC can be a conscious choice, and recognizing this can benefit both the attempts to understand the persistence of the phenomenon and to reverse it.

Two points are essential for understanding the pervasiveness of bottom-up informalization beyond the idea of adverse incorporation and lack of options (cf. Phillips 2011). First, the preference of in-fact informal arrangements is not necessarily due to false consciousness, but based on considerations of needs and values that go beyond individual economic maximization. The responsibilities of social reproduction make informal work attractive especially for women. For many female workers, the reason for working at Star Fashion was the lack of other employment opportunities close to home that would enable them to integrate paid work with care work. For the same reason, other female workers with children told me they preferred "small factories" that were close to home. The flexibility offered by short-term contracts is also needed by those workers whose families need help in the village during peak agricultural seasons.

Similar to what De Neve (2012) observed in India, Cambodian garment workers' reasons for preferring informal work are heavily gendered. Young male workers appreciate the more relaxed atmosphere at the "small factories". Nimol, a male worker with no children, was now working at a registered export factory but felt nostalgic about his former job at a subcontractor's, where order timelines were less tight. He told me: "The difference is the rules. In the big

factory it's more difficult and stricter than at the subcontractor's. In the big factory, I have to get permission to go to toilet." At the subcontractor, this was not necessary.

A second aspect is related to the workers' preference for "money in hand". As noted by Arnold and Shih (2010), workers might accept FDCs because of immediate monetary benefits, namely the 5% severance that is paid at the end of contract to compensate for the failure to accumulate seniority. Similarly, some workers want to work at "small factories" because these are not registered in the social security fund, and no contributions are thus deducted from salaries. Instead of interpreting these preferences as a forced prioritizing of urgent financial needs, the workers' preference to get more money in hand can also be seen from the opposite perspective of long-term considerations, shaped by the question of trust. In Cambodia, many workers do not see the accumulation of seniority as a wise long-term option. In addition to the most skilled workers who are keen to have temporary contracts that permit them to change jobs, the overall popularity of the garment jobs among young Cambodians has been decreasing with the growth of the service sector, in particular tourism. The changing perspectives were reflected in the discussions that I had with workers about their future plans and dreams. Few workers see themselves working in a garment factory in five years' time. Many dream of saving money and opening a small business. Regardless of whether these dreams are realistic or not, they do not incentivize building up seniority. A coordinator of an international union federation had made the same observation. Young workers may want short contracts because of the 5% severance, but this is not because of their immediate needs; it is because building up seniority does not seem smart. The mechanism is not clear and workers consider the idea suspicious, he added. Money in hand can be saved, while workers have no guarantee that they will ever see the seniority that is accumulating in the employers' account. Workers' suspicions are due to the increasingly common factory closures. When foreign managers and factory owners suddenly leave the country, the workers with permanent contracts lose the most: in addition to the last monthly salary, all accumulated seniority bonuses. This makes FDCs less risky in the long term.

The idea of having money in hand is thus linked to long-term considerations shaped by the question of trust, highly relevant in a social system based on interpersonal loyalties (Jacobsen and Stuart-Fox 2013). Workers often feel a profound mistrust of employers as well as authorities, which is reflected for example in a common fear of fake money or bank accounts. One factory representative of European origin told me about the initial refusal of the company's workers' to sign permanent contracts and accept an insurance paid by the company. He had later understood that it was due to the workers' unwillingness to

commit to someone they did not trust, and their fear of being cheated. It all changed with time, he said.

Another aspect is related to the lump sums that the employers are known to offer permanent workers in exchange of converting to (repeated) temporary contracts. As one international NGO observer commented to me, "*In practice, this can amount to 400 USD which is an amount they can never get in their hands, so it sounds too good a deal for them.*" While he suggested that this was a way of abusing workers' poverty, he also reflected on who were we—as foreigners—to tell Cambodian workers what was good for them. In fact, this kind of lump sum might be a unique opportunity to make a housing-related investment without taking a loan or a microcredit with abusive interest rates that can later lead to a debt spiral. Workers' attempts to make extra money are thus also a way of managing longer term risks, while this does not change the fact that the employer is still the one disproportionately benefiting of the temporary contracts.

All in all, workers' preferences are affected by their poverty, but they do not mechanically follow from a lack of options or a prioritizing short-term financial needs. They are shaped by gendered considerations about intergenerational wellbeing and by collective and personal experiences regarding the unpredictability of institutions and foreign managers. These considerations have important consequences in terms of preventing unionization and promoting in-fact informalization, which means that they need to be carefully considered when discussing the possibilities of reversing these trends.

### 6.3 *Buyers' Perspective*

The role of international buyers in enforcing labour rights at the Cambodian supplier factories means that they are a prime target of unions and NGOs advocacy efforts aimed at reversing the trend of *in-fact informalization.* The position of the Arbitration Council has been a key argument in these efforts, because most buyers recognize its authority. In recent years, several major buyers have engaged in initiatives to promote permanent contracts at their supplier factories. Nonetheless, the government's stringent defence of the legality of repeated FDCs complicate these efforts, and workers' ambivalent attitudes are used by the companies to justify inaction. A sustainability representative of a major buyer told me about a project that the company had prepared to convert all FDCs to UDCs at their suppliers. The public launch of the plan had to be cancelled at the last minute due to the government's opposition. The representative of another buyer claimed that they cancelled a similar project because workers opposed FDCs. In the end, the buyers' commitment to the issue is thin. In-fact informalization is a way of ensuring low prices and flexible timelines—in line with the logics of global value chains

(Phillips 2011)— without direct labour rights violations that would harm the fashion brands' reputation.

## 7 Conclusion

Informality prevents workers both in Cambodia and globally from accessing internationally recognized labour rights and benefits. As the chapter has illustrated, this is not limited to the "informal sector" but also affects the workers in formally recognized employment relationships. The chapter used Chang's (2009) notion of *in-fact informalization* to draw attention to the mechanisms that preclude workers in formal factories and formal employment relationships from enjoying the rights that the international labour standards, confirmed in national legal frameworks and corporate codes of conduct, officially award them.

Inspired by Phillips' (2011) notion of top-down and bottom-up processes of informalization in GVCs, the chapter broadened the analysis of in-fact informalization beyond capital-driven economic processes. The analysis of the dynamics of in-fact informalization in the Cambodian context called attention to the active role of the state in promoting informalization, beyond a mere pro-business policy. In fact-informalization appears as a project of selective hegemony used by the government to weaken independent unions. The government's interests might converge with that of capital, but they are also affected by a direct interest in undoing social and political mobilization.

Furthermore, the chapter argued for not seeing workers as objects of informalization nor assuming that they automatically resist it. Although poverty tends to lead to adverse incorporation, workers' preference of informal arrangements involves more than a mere submission to short-term needs. Cambodian workers make realistic and pragmatic choices, based on long-term considerations shaped by gendered responsibilities and a context of historical insecurity and mistrust in authorities and foreign factory owners.

Labour's collective organization emerged as a central aspect in both top-down and bottom-up processes of in-fact informalization. The combination of the insecurity of work—the fear of non-renewal—and the gendered insecurity of life prevent workers from joining independent unions. The consequences are significant and extend beyond the workplace. At the factory level, the weakness of independent unions prevents the defence of workers' interests in cases of labour rights violations. At the level of the society, it harms political representation. Unions cannot effectively function without legal protection, and workers' political power is needed to push for such legal protection in the first place.

Arnold and Shih (2010; also Arnold 2014) suggest that the use of fixed term contracts is producing increasing discontent and resistance among Cambodian workers. The NGO reports referenced in this chapter also emphasize this potential, in an effort to convince the employers about the negative impacts of this practice. However, the developments of the recent years have rather pointed to another direction, making evident the important role of the Cambodian government. The amounting of worker discontent to a national strike in early 2014 did not lead to significant concessions but to a tighter grip and stricter limits to workers' freedom of association. As part of a wider process of shrinking democratic space, the 2016 trade union law all but erased the independent unions' ability to represent workers by making registering local unions and taking cases to the Arbitration Council practically impossible.

The success of the garment industry has been instrumental for the legitimacy of the government due to the economic growth and job creation it has implied. But when the industry's profit-making recently clashed with the government's political interests—when the EU threatened withdrawing Cambodia's import benefits due to the country's undemocratic development—, the government chose to turn against the industry's interests. This indicates that the government's policy is by no means exclusively driven by the promotion of the interests of international capital.

In Cambodia, in-fact informalization weakens freedom of association without touching its protection *de jure*. This chapter has called attention to the gap between the official commitments of states and companies to the labour rights defined in the international labour conventions and the lived realities of the majority of the world's workers. As Chang (2009) notes, considering informality in *de jure* terms hides the real problem of worker's strategic vulnerabilization. States and buyers maintain their legitimacy in the eyes of various audiences: the international community, donors, campaign groups and consumers. Responses through more *de jure* regulation are inefficient when the problem is not on chapter but in the contradiction between labour rights and powerful economic and political interests.

## References

Agarwala, Rina. 2013. *Informal Labor, Formal Politics, and Dignified Discontent in India*. Cambridge University Press.

Arnold, Dennis. 2008. "Street Vendors, Factories and Family Workers: Informalizing Labour in Cambodia." *Asian Labour Law Review 2008: Rights for Two-Thirds of Asia 2008:* 107–24.

Arnold, Dennis. 2014. "Workers' Agency and Power Relations in Cambodia's Garment Industry." In *Towards Better Work: Understanding Labour in Apparel Global Value Chains*, edited by Arianna Rossi, John Pickles, and Amy Luinstra. Basingstoke: Palgrave Macmillan.

Arnold, Dennis, and Stephen Campbell. 2018. "Capitalist Trajectories in Mekong Southeast Asia." *European Journal of East Asian Studies* 17 (2): 181–91.

Arnold, Dennis, and Toh Han Shih. 2010. "A Fair Model of Globalisation? Labour and Global Production in Cambodia." *Journal of Contemporary Asia* 40 (3): 401–24.

Bakker, Isabella, and Stephen Gill, eds. 2003. *Power, Production, and Social Reproduction: Human in/Security in the Global Political Economy.* Basingstoke: Palgrave Macmillan.

Benería, Lourdes. 2001. "Shifting the Risk: New Employment Patterns, Informalization, and Women's Work." *International Journal of Politics, Culture, and Society* 15 (1): 27–53.

Campbell, Stephen. 2019. "Labour Formalisation as Selective Hegemony in Reform-Era Myanmar." *The Asia Pacific Journal of Anthropology* 20 (1): 57–73.

Castells, M. and Portes, A. 1989. "World underneath: the origins, dynamics and effects of the informal economy". In *The informal economy: studies in advanced and less developed countries* edited by A. Portes, M. Castells and L.A. Benton. Baltimore, MD: John Hopkins University Press.

Chang, Dae-oup. 2009. "Informalising Labour in Asia's Global Factory." *Journal of Contemporary Asia* 39 (2): 161–79.

Coe, Neil M., and David C. Jordhus-Lier. 2011. "Constrained Agency? Re-Evaluating the Geographies of Labour." *Progress in Human Geography* 35 (2): 211–33.

Cox, Robert. W. 1987. *Production Power and World Order: Social Forces in the Making of History*. New York, N.Y.: Columbia University Press.

De Neve, Geert. 2012. "Fordism, Flexible Specialisation and CSR: How Indian Garment Workers Critique Neoliberal Labour Regimes." *Ethnography*, November, 1466138112463801.

Du Toit, Andries, and Hickey, Sam. 2007. "*Adverse Incorporation, Social Exclusion and Chronic Poverty. CPRC Working Paper No. 81."* Manchester: Chronic Poverty Research Centre, University of Manchester.

Elias, Juanita, and Lena Rethel, eds. 2016. *The Everyday Political Economy of Southeast Asia*. Cambridge: Cambridge University Press.

Elias, Juanita, and Adrienne Roberts. 2016. "Feminist Global Political Economies of the Everyday: From Bananas to Bingo." *Globalizations* 13 (6): 787–800.

Fair Action. 2015. "A Short-Term Solution: A Study of the Use of Fixed-Duration Contracts in the Cambodian Garment Industry." Stockholm, Sweden: Fair Action.

Federici, Silvia. 2012. *Revolution at Point Zero: Housework, Reproduction and Feminist Struggle.* Oakland, CA: PM Press.

Green, W. Nathan, and Jennifer Estes. 2019. "Precarious Debt: Microfinance Subjects and Intergenerational Dependency in Cambodia." *Antipode* 51 (1): 129–47.

Hammer, Anita. 2019. "Comparative Capitalism and Emerging Economies: Formal-Informal Economy Interlockages and Implications for Institutional Analysis." *Review of International Political Economy* 26 (2): 337–60.

Harvey, David. 2005. *The New Imperialism*. Oxford: Oxford University Press.

Hewison, Kevin, and Arne L. Kalleberg. 2013. "Precarious Work and Flexibilization in South and Southeast Asia." *American Behavioral Scientist* 57 (4): 395–402.

Hobson, John M. and Leonard Seabrooke. 2007. *Everyday politics of the world economy*. Cambridge University Press.

Human Rights Watch. 2015. *"Work Faster or Get out": Labor Rights Abuses in Cambodia's Garment Industry.*

ILO. 2017. *ILO Cambodian Garment and Footwear Sector Bulletin, Issue 6, May 2017*. Bangkok: ILO. Retrieved from https://www.ilo.org/asia/publications/WCMS_555290/lang--en/index.htm

ILO and IFC. 2018. *Better Factories Cambodia: an industry and compliance review*. Geneva: ILO.

Jacobsen, Trude, and Martin Stuart-Fox. 2013. *Power and Culture in Cambodia*. ARI Working Paper Series 200. Singapore: Asia Research Institute.

Kabeer, Naila. 2004. "Globalization, Labor Standards, and Women's Rights: Dilemmas of Collective (In)action in an Interdependent World." *Feminist Economics*, 10 (1): 3–35.

Kabeer, Naila, Ratna Sudarshan, and Kirsty Milward, eds. 2013. *Organizing Women Workers in the Informal Economy: Beyond the Weapons of the Weak*. London; New York: Zed Books.

Kalleberg, Arne L., and Kevin Hewison. 2013. "Precarious Work and the Challenge for Asia." *American Behavioral Scientist* 57 (3): 271–88.

Lawreniuk, Sabina. 2017. "The Ties That Bind. Rural–Urban Linkages in the Cambodian Migration System." In *The Handbook of Contemporary Cambodia*, edited by Katherine Brickell and Simon Springer. London: Routledge.

LeBaron, Genevieve. 2010. "The Political Economy of the Household: Neoliberal Restructuring, Enclosures, and Daily Life." *Review of International Political Economy* 17 (5): 889–912.

Lee, Ching Kwan, and Yelizavetta Kofman. 2012. "The Politics of Precarity: Views Beyond the United States." *Work and Occupations* 39 (4): 388–408.

Masina, Pietro P. and Michela Cerimele. 2018. "Patterns of Industrialisation and the State of Industrial Labour in Post-WTO-Accession Vietnam." *European Journal of East Asian Studies* 17(2): 289–323.

Mezzadri, Alessandra. 2010. "Globalisation, Informalisation and the State in the Indian Garment Industry." *International Review of Sociology* 20 (3): 491–511.

Mezzadri, Alessandra, and Lulu Fan. 2018. "'Classes of Labour' at the Margins of Global Commodity Chains in India and China: 'Classes of Labour' at the Margins of Global Commodity Chains." *Development and Change* 49 (4): 1034–63.

Millar, Kathleen M. 2014. "The Precarious Present: Wageless Labor and Disrupted Life in Rio de Janeiro, Brazil." *Cultural Anthropology* 29 (1): 32–53.

Millar, Kathleen M. 2017. "Toward a Critical Politics of Precarity." *Sociology Compass* 11 (6).

Mitchell, Katharyne, Sallie A. Marston, and Cindi Katz. 2003. "Introduction: Life's Work: An Introduction, Review and Critique." *Antipode* 35 (3): 415.

Mosoetsa, Sarah, Joel Stillerman, and Chris Tilly. 2016. "Precarious Labor, South and North: An Introduction." *International Labor and Working-Class History* 89: 5–19.

Muehlebach, Andrea. 2011. "On Affective Labor in Post-Fordist Italy." *Cultural Anthropology*; Washington 26 (1): 59.

Munck, Ronaldo. 2013. "The Precariat: A View from the South." *Third World Quarterly* 34 (5): 747–62.

Narotzky, Susana, and Niko Besnier. 2014. "Crisis, Value and Hope: Rethinking the Economy. An Introduction to Supplement 9." *Current Anthropology* 55 (S9).

Neilson, Jeffrey, Bill Pritchard, and Henry Wai-chung Yeung. 2014. "Global Value Chains and Global Production Networks in the Changing International Political Economy: An Introduction." *Review of International Political Economy* 21 (1): 1–8.

Parsons, Laurie, Sabrina Lawreniuk, and John Pilgrim. 2014. "Wheels within Wheels: Poverty, Power and Patronage in the Cambodian Migration System." *The Journal of Development Studies*, 50(10): 1362–1379.

Phillips, Nicola. 2011. "Informality, Global Production Networks and the Dynamics of 'Adverse Incorporation.'" Global Networks 11 (3): 380–97. https://doi.org/10.1111/j.1471-0374.2011.00331.x.

Phillips, Nicola. 2013. "Unfree labour and adverse incorporation in the global economy: Comparative perspectives on Brazil and India." *Economy and Society*, 42(2): 171–196.

Polaski, Sandra. 2006. "Combining Global and Local Forces: The Case of Labor Rights in Cambodia." *World Development*, 34 (5): 919–32.

Salmivaara, Anna. 2018. "New Governance of Labour Rights: The Perspective of Cambodian Garment Workers' Struggles." *Globalizations* 15 (3): 329–46.

Salmivaara, Anna. 2020 "But what if they don't renew my contract?": Cambodian garment workers, social reproduction and the gendered dull compulsion of economic relations. In *The Political Economy of Work in the Global South* edited by Anita Hammer and Adam Fishwick. London: Red Globe Press.

Siegmann, Karin Astrid. 2016. "Understanding the Globalizing Precariat: From Informal Sector to Precarious Work." Progress in Development Studies 16 (2): 111–123.

Silver, Beverly J. 2003. *Forces of Labor: Workers' Movements and Globalization Since 1870*. Cambridge: Cambridge University Press.

Smith, Gavin A. 2011. "Selective Hegemony and Beyond-Populations with 'No Productive Function': A Framework for Enquiry." *Identities* 18 (1): 2–38.

Tsing, Anna. 2009. "Supply Chains and the Human Condition." *Rethinking Marxism* 21 (2): 148–76.

van Noord, Hugo, Hans S. Hwang, and Kate Bugeja. 2011. Cambodia's Arbitration Council: Institution-Building in a Developing Country. Geneva: ILO.

Ward, Kristy, and Vichhra Mouyly. 2016. "Employment Relations and Political Transition in Cambodia." *Journal of Industrial Relations* 58 (2): 258–72.

Webster, Edward, Andries Bezuidenhout, and Rob Lambert. 2008. *Grounding Globalization: Labour in the Age of Insecurity*. Malden, Mass.: John Wiley & Sons.

Yale Law School. 2011. "Tearing Apart at the Seams.Pdf." Allard K. Lowenstein International Human Rights Clinic, Yale Law School.

# PART 5

## *Latin America*

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CHAPTER 10

# Digital Resistance to Algorithmic Exploitation: Twitter Activism of Delivery Platform Workers in Argentina during the Covid 19 Pandemic

*Rodolfo Elbert and Sofía Negri*

## 1 Introduction

Digital platforms have been defined as a technological fix that emerged in the global economic center during the first decade of the twenty first century, when platforms became the central infrastructure mediating between different user groups, build around the exploitation of data.[1,2] Originally developed in Europe and the United States, these platforms soon expanded to other regions of the world, leading to the global expansion of algorithmic exploitation from the center to the periphery in a process of uneven and unequal development.[3]

In Latin America, the sector of delivery platforms emerged in the 2010s, through native companies that replicated transnational technologies (such as Rappi, funded in Colombia) or through Europe based companies that opened up branches in different countries of the region (such as the german based Delivery Hero that acquired Pedidos Ya; or the arrival of global apps such as Glovo and Ubereats). The rapid development of the sector led to extraordinary high profits for the companies and a growing labour force over the years.[4] Simultaneously, workers started to organise against the extreme precarity of

1 Rodolfo Elbert is CONICET Researcher at the Programa de Investigación sobre Análisis de Clases Sociales, Instituto de Investigaciones Gino Germani and Professor in the Sociology Department, Universidad de Buenos Aires. He holds a Ph.D. in Sociology from the University of Wisconsin (Madison, USA). Sofía Negri is a sociologist from Universidad de Buenos Aires, Magister in Social Research Methods from the London School of Economics and Political Science and PhD Candidate at Queen Mary University of London. Member of the Programa de Investigación sobre Análisis de Clases Sociales, Instituto de Investigaciones Gino Germani, UBA.

2 Srnicek, N. Platform capitalism (Cambridge: Polity Press, 2016).

3 Graham, M., & Anwar, M. The global gig economy: Towards a planetary labour market? *First Monday*, 24(4) (2019).

4 Lustig, N. "An Overiview of Latin America's Food Delivery Industry". Nathan Lustig Blog (2021), https://www.nathanlustig.com/an-overview-of-latin-americas-food-delivery-industry/.

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work relations that were based on the definition of the worker as an 'independent contractor' with no labour rights.[5]

The first year of the pandemic (2020) deepened these tendencies, and soon Latin American riders became part of the global vanguard movement for labour rights in the sector.[6] If during 2016 and 2017 scholars identified a wave of worker resistance in European food platforms;[7] the rapid expansion of the platforms in Latin America coupled with the deepening precarity of work in the pandemic led to a labour upsurge in the sector during 2020. In this chapter, we focus on the organising strategies of delivery platform workers in Argentina during the first year of the pandemic. Following the regional trends, the platform sector experienced a labour upsurge in the country, expressed in the emergence of new organisations and the geographical expansion of existing groups, as well as an increasing number of organised workers and actions of protest.[8]

In particular, in this chapter we analyse the specific way in which organised workers used digital platforms to mobilise in a period when strict lockdowns made it difficult to develop traditional actions of protest such as public demonstrations or face to face meetings. Based on the study of digital activism during the strictest lockdown in the country (from March to July 2020), we argue that workers in Argentina creatively found in digital platforms a way to channel their protests in the context of increasing work precarity and the difficulty of using their traditional repertoire of protests.

The chapter uses a mixed-method approach that combines traditional methodologies such as in-depth interviews with workers and activists and

5 De Stefano, V. "The rise of the just-in-time workforce: On-demand work, crowd work, and labor protection in the gig-economy." *Comparative Labour Law and Policy Journal*, 37(3) (2016), 461–471.
Woodcock, J., & Graham, M. "The gig economy." A critical introduction. (Cambridge: Polity, 2020).

6 Marinaro, P. "I riders latinoamericani lanciano lo scipero globale." Jacobin Italia (2020), https://jacobinitalia.it/i-riders-latinoamericani-lanciano-lo-sciopero-globale/?fbclid=IwAR3UdYlf7ZL9lgiXCjx7Eu0WyVN1stutgkKVcVdhEgntqg5qhOhOT3Zw6-k.

7 Cant, C. Riding for Deliveroo: Resistance in the New Economy (Cambridge: Polity Press, 2019). Tassinari, A. and V. Maccarrone, "Riders on the storm: Workplace solidarity among gig economy couriers in Italy and the UK." *Work, Employment and Society*, 34(1) (2020), 35–54. Vandaele, K. "Will trade unions survive in the platform economy? Emerging patterns of platform workers' collective voice and representation in Europe" Working Paper, European Trade Union Institute Research Paper, 5 (2018).

8 Elbert, R. & Negri, S. "Delivery Platform Workers during covid-19 Pandemic in the City of Buenos Aires (Argentina): Deepened Precarity and Workers' Response in a Context of Epidemiological Crisis." *Journal of Labor and Society* 1, no. aop (2021), 1–25.

the analysis of flyers and documents from activist organisations with a novel approach to the study of twitter activism. Based on these interviews and documents, we reconstruct the situation of work, precarity and activism of delivery platforms workers during the pandemic. This provides the scenario to understand the second source of data that we analyse in the chapter, which consists of a dataset with 56100 tweets by 23161 users, which are related to delivery platform strikes or protests in Latin America that were posted between March 1 and July 31 of 2020.

The dataset was built by identifying a total of 46 hashtags that were used by delivery platform workers' organisations or individuals to support the strikes, protests or make demands more generally. Next, we scrapped all tweets that included any of the 46 identified hashtags during that period. Another key part of the data manipulation stage was to recode and create variables with the user's location. Of the 56100 tweets in the dataset, 12177 had no location information. The rest was coded using different strategies that allowed us to identify the national and sometimes sub-national location of the tweets. Based on the quantitative analysis of this dataset, we aim to understand the role of digital platforms in the organising strategies of platform workers in Argentina during the pandemic. In addition, the analysis of the location of users and tweets allow us to see the international networks between organisations from different countries.

## 2 Capital's Technological Fix and Labour Unrest in Contemporary Societies: A View from the Global South

The emergence of the platform economy in the first decade of the twenty first century has led to rapid changes in the relationship between technological change, labour process and labour unrest. In particular, the platform economy has undermined the quality of employment as it is based on fragmented and casual work.[9] Workers are hired as 'independent contractors', which precludes them from different rights associated with the standard employment relationship, including the right to unionise. This lack of employment contract is coupled with strict labour control mechanisms based on algorithms and digital technologies.[10]

9 Woodcock & Graham, "The Gig Economy. A critical introduction", (Cambridge: Polity, 2020)

10 De Stefano, V. "The rise of the just-in-time workforce: On-demand work, crowd work, and labor protection in the gig-economy." Gandini, A. "Labour process theory and the

A first analysis of work and conflict in the sector provided little hope for the emergence of an active labour movement. Precarity, individualised labour relations and the absence of unions seemed the new norm of work in this booming sector. Powerful digital oligopolies used algorithmic forms of labour control to increase rates of exploitation of an atomized workforce.[11] In this context, it seemed unlikely that workers could use digital technologies to organise their struggles for labour rights. However, more recently, scholars have identified new patterns of working class organising based on the same type of technologies that increase domination and exploitation at work. Based on ethnographic work with Deliveroo riders in the UK, for example, Woodcock and Cant have found that organised workers appropriated and weaponised communication technologies like WhatsApp and proved the emancipatory potential of technology for the labour movement.[12] Other studies have provided evidence that workers in Europe have used communication technology to organise as well as digital platforms in order to gain public attention to their struggles.[13] Furthermore, the use of digital platforms such as Twitter to call for mobilisation has been documented and analysed by the social movements literature more broadly, identifying its appropriation both responding to logics of aggregation and of networking.[14]

In this chapter, we focus on the contradictory character of technology, which has been used to increase labour control and domination in the platform economy, but has also allowed for spaces of resistance for an emerging labour movement.[15] In particular, we ask what happened with this double character of digital technologies once digital platforms of delivery landed

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gig economy." Human Relations 72(6) (2019), 1039–1056. Kellogg, K., M. Valentine and A. Christin "Algorithms at work: The new contested terrain of control." *Academy of Management Annals* 14(1) (2020), 366–410.

11 Kellogg, K., M. Valentine and A. Christin "Algorithms at work: The new contested terrain of control."

12 Cant, C. Riding for Deliveroo: Resistance in the New Economy. (Cambridge: Polity Press, 2019). Woodcock, J. & Cant, C. "Digital Workerism: Technology, Platforms, and the Circulation of Workers' Struggles." tripleC: Communication, Capitalism & Critique, 18(1) (2020), 132–145. DOI: https://doi.org/10.31269/triplec.v18i1.1133

13 Tassinari, A. and V. Maccarrone, "Riders on the storm: Workplace solidarity among gig economy couriers in Italy and the UK."

14 Castells, M. Networks of Outrage and Hope: Social Movements in the Internet Age. (Cambridge: Polity, 2012).Gerbaudo, P. "Tweets and the Streets: Social Media and Contemporary Activism". (London: Pluto Press, 2012). Juris, J.S. 'Reflections on #Occupy Everywhere: Social media, public space, and emerging logics of aggregation.' American Ethnologist, 39(2), (2012), 259–279.

15 Woodcock, J. "Towards a Digital Workerism: Workers' Inquiry, Methods, and Technologies." *Nanoethics*, 15 (2021), 87–98.

in Latin America. What type of organising strategies have riders used in the Global South in order to revert precarity? Did these strategies include digital platforms and communication technologies? As a case study to answer these questions, we analyse protests dynamics in the delivery platform sector of Argentina during the strict lockdown of the first year of the pandemic.

Global research on the protest dynamics of delivery platform workers has mostly focused in Europe and the US; where riders have been protesting since the rapid expansion of this sector in both regions during the second decade of the twenty-first century. Once the companies proved successful in the world economic core, the sector started to spread to less developed regions such as Africa, Asia and Latin America. In particular, since 2015, different Latin American countries have seen a rapid growth of delivery platforms, led by global companies that landed in the region or regional companies that replicated the experience of these global giants. Since then, workers in the sector have been organising in order to demand for their rights.[16]

If the years 2016 and 2017 have been characterised by a wave of worker resistance in European food platforms,[17] the first year of the pandemic has witnessed the emergence of a Latin American riders movement.[18] As Marinaro points out, during 2020, Latin American riders became central actors in the global struggle against precarity in the platform sector. Latin american riders in countries such as Argentina, Brazil and Mexico have been key promoters of four international strikes during the first year of the pandemic, which included riders and organisations from the Americas, Asia and Europe.[19]

What is the driving force that explains the strengthening of the labour movement in the Latin American platform economy during the past year?

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16 Cordero, K., & Daza, C. "Precarización laboral en plataformas digitales: Una lectura desde América Latina." Friedrich-Ebert-Stiftung Ecuador FES-ILDIS (2020). Del Bono, A. "Trabajadores de plataformas digitales: Condiciones laborales en plataformas de reparto a domicilio en Argentina." Cuestiones De Sociología, 20 (2019), e083. Haidar, J., N.D. Menéndez, and C. Arias. "De la app a la APP: La gestión algorítmica y los procesos de organización y lucha de los trabajadores de reparto." In El trabajo en la economía de plataformas, eds. H. García and L. Caparrós (Buenos Aires: ediar, 2019). Ottaviano, J., J. O'Farrel and M. Maito. "Organización sindical de trabajadores de plataformas digitales y criterios para el diseño de políticas públicas." Análisis 49 (2019), 1–43.

17 Cant, C. "The wave of worker resistance in European food platforms 2016–17", Notes from below (2020), https://notesfrombelow.org/article/european-food-platform-strike-wave.

18 The idea that the focus of the global riders movement shifted from Europe to Latin America during the pandemic can be found in Marinaro, P. "Food delivery workers shaping the future of work: Ni Un Repartidor Menos", Center for Global Workers' Rights, in press, 2021.

19 Cordero, K & Daza, C. "A modo de introducción". En Cordero, K. & Daza, C. (eds.) Precarización laboral en plataformas digitales (2020), 13–20.

First, we have to take a look at protest dynamics in the sector at a global scale. In the case of traditional industries, such as automobile or textiles, Beverly Silver has shown that the patterns of working class formation and protest shift at a global scale along with shifts in the geographical location of production.[20] In the case of the gig economy, or more specifically, delivery platforms; a first wave of protests and union activism in the global north has been followed by a recent upsurge of activism in Latin America. This pattern of working class formation in the sector has followed the pattern of economic expansion of digital platforms from the core to the periphery of the global economy.

A second factor that explains the labour upsurge of Latin American platform workers during the pandemic is that the region experienced a rapid 'platformization' of work because "services such as those offered by riders, who make use of the use of digital technologies to organise work and the relationship between supply and demand, have become a survival tool in the new global pandemic scenario".[21] The sudden economic relevance of digital platforms was translated into an increasing structural and associative power for riders who became strategic actors to guarantee the circulation and consumption of goods during the lockdowns.[22] In the case of Argentina, for example, our research shows a growth in the number of strikes and organised workers as well as the expansion in the geographic coverage of organisations. Another aspect that shows the increase in associative power is the internationalisation of the struggle, which can be seen in the multiple instances of coordination of Latin American riders that emerged during the pandemic.[23]

Taking into account the increasing activism of riders in Argentina, in this chapter we tackle the issue of the specific ways in which workers used digital technologies to confront algorithmic exploitation during the first year of the pandemic. In the context of strict lockdowns that prevented workers from getting together in order to protest, we argue that digital technologies played a relevant role for organising discontent. We are interested in two particular ways in which digital technologies helped organising: the use of platforms of communication for national assemblies of riders and twitter activism of workers and organisations. We chose to focus on these two because they are quite

20 Silver, B. Forces of labor. Workers' Movements and Globalization since 1870 (Cambridge: Cambridge University Press, 2003).

21 Marinaro, P. "I riders latinoamericani lanciano lo scipero globale."

22 Wright, E.O. "Working-Class Power, Capitalist-Class Interests, and Class Compromise." *American Journal of Sociology* 105 (4) (2000), 957–1002.

23 Elbert, R. & Negri, S. "Delivery Platform Workers during covid-19 Pandemic in the City of Buenos Aires (Argentina): Deepened Precarity and Workers' Response in a Context of Epidemiological Crisis."

novel for the Argentine riders' movement; unlike the use of Whatsapp to create informal networks of support and activism, which was widely used before the pandemic.[24] Based on this evidence, we aim to contribute to debates around the emancipatory potential of technology for the labour movement in the Global South.

## 3 A Brief History of Platform Work in Argentina

Food delivery platforms Rappi and Glovo started operating in the country in early 2018. They were welcomed by the national state in a context of rising unemployment and informal work rates. The context in which this type of platform started operating in Latin American countries is very similar.[25] Most of these countries suffer the characteristics of weak economies, fragmented labour markets with high rates of informal work. Furthermore, the years between 2016 and 2018, when these platforms arrived to the region, comprehended the new period of right wing governments where neoliberal values and individualism were promoted and welfare policies were reduced or eliminated.[26] In that context, the delivery platform's discourse about 'being your own boss' penetrated easily, making workers responsible for their own success, and failure.[27] Also, many of these countries, such as Argentina, were receiving a large influx of Venezuelan immigrants, whose precarious residence status prevented them from finding jobs in the formal sector, despite being highly educated.[28]

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24 Haidar, J., N.D. Menéndez, and C. Arias. "De la app a la app: La gestión algorítmica y los procesos de organización y lucha de los trabajadores de reparto.". Ottaviano, J., J. O'Farrel and M. Maito. "Organización sindical de trabajadores de plataformas digitales y criterios para el diseño de políticas públicas.".

25 Cordero, K., & Daza, C. "Precarización laboral en plataformas digitales: Una lectura desde América Latina."

26 Pérez, P. & Elbert, R. "Classes and class interests in Latin America." Global Dialogue. *Magazine for the International Sociological Association* 9 (1) (2019), https://globaldialogue.isa-sociology.org/classes-and-class-interests-in-latin-america/.

27 Morales Muñoz, K. "La valoración de la flexibilidad y la libertad en el trabajo en apps. ¿los trabajadores de plataformas son sujetos neoliberales?" in "Precarización laboral en plataformas digitales: Una lectura desde América Latina.", eds. Cordero, K., and C. Daza. Friedrich-Ebert-Stiftung Ecuador FES-ILDIS (2020), 21–36.

28 Pedone, C. & Mallimaci, A. "Trayectorias laborales de la población venezolana en la Ciudad Autónoma de Buenos Aires". in Después de la llegada. Realidades de la migración venezolana. Eds. Cecile Blouin. (Lima: Themis, 2019), 129–148.

In those circumstances, the labour force in companies Rappi and Glovo grew fast. As in the case of Uber, their arrival also led to changes in the competitive dynamics in the sector. Pedidos Ya had started as a digital menu platform in 2010, in 2014 was acquired by Delivery Hero, a multinational delivery company and in 2017 started incorporating the delivery service as part of the platform. Initially, Pedidos Ya had established a formal employment relationship with its delivery workers. However, after the arrival of Rappi and Glovo, which did not recognise any type of employment relationship with delivery workers, in early 2019 Pedidos Ya fired approximately 450 workers and switched to the independent contractors modality.

It has been around 5 years since the major delivery platform companies arrived in Argentina and there are no comprehensive regulations of the activity in the country. This allows companies to employ its workers as independent contractors and avoid paying different types of taxes and benefits associated with this type of employment. This also meant that the workers did not have a right to unionisation, in a country with some of the highest unionisation rates in Latin America.[29]

However, unlike what happened in the case of Uber, collective mobilisation in delivery platforms emerged less than six months after companies started operating in the country. In July 2018, a change in Rappi´s order assignment mechanism led to the first delivery platform workers strike in the country (and one of the firsts in the region).[30] The previous policy stated that all the orders had to appear in the app to all the workers that were close to the shop (the pick up address) and whoever accepted it faster was assigned with the order. The new policy stipulated that orders were assigned to a specific worker and they had 30 seconds to accept or decline it. This change had significant effects in the labour process which affected workers' daily experiences and their earnings. First, this new assignment mechanism significantly increased the control that platforms could exert over the labour process. Secondly, it brought up the question of how the worker was selected by the algorithm. Here, we find that this algorithm took into account workers' previous qualifications by customers and shops, their speed and their acceptance rate, among other variables

29 Tomada, C., Schleser, D. & Maito, M. "Radiografía de la sindicalización en Argentina". Capacitación y Estudios sobre Trabajo y Desarrollo, UNSAM. http://noticias.unsam.edu.ar/wp-content/uploads/2018/10/sindicalizacion.pdf (Accesed August 14, 2021).

30 Del Bono, A. "Trabajadores de plataformas digitales: Condiciones laborales en plataformas de reparto a domicilio en Argentina." Haidar, J., N.D. Menéndez, and C. Arias. "De la app a la app: La gestión algorítmica y los procesos de organización y lucha de los trabajadores de reparto.". Ottaviano, J., J. O'Farrel and M. Maito. "Organización sindical de trabajadores de plataformas digitales y criterios para el diseño de políticas públicas."

(we can not be certain because the company does not show the algorithm to workers, researchers or regulators and it is continually changing it).[31] This put pressure on them to accept every order they were assigned with, whether the payment was high or low, or the distance was short or long. This pressure is even bigger if we consider that in Argentina, like many other Latin American countries, delivery platforms Rappi and Glovo (and later Pedidos Ya and Ubereats as well)[32] never operated on a payment per hour scheme but on a payment per order one. In a way, this change of scheme violated the premise of 'being your own boss' that was pregonated by platform companies.

The same day workers noticed this new assignment mechanism, they started sharing their grievances through social media networks, which then led to spontaneous strike. The strike consisted on connecting to the app but without accepting any orders. Workers got together on city corners and squares and talked about how this change had affected their earnings. While the strike did not make the platform unable to operate, it did make it harder for it to meet the demand and so the payment per order was raised. From that on, the group of organised workers continued building networks and created WhatsApp groups to communicate with each other.

Soon afterwards, a longstanding delivery workers union (Asociación Sindical De Motociclistas Mensajeros Y Servicios - ASIMM) made contact with this group of organised workers and offered to negotiate with Rappi. Although initially these workers welcomed ASIMM s help, soon they realised that the union negotiations were not focused on improving the working conditions or their employment relationship. That, combined with the fact that Rappi had already started applying sanctions to mobilised workers and even blocked some of them in the app, led workers to create their own union in October 2018, called Asociación de Personal de Plataformas (APP).

In the following months after the first strike, delivery platform workers from Rappi and Glovo continued mobilising and demanding for better working conditions and to be recognised as platform employees and not independent contractors. In a demonstration in front of the National Secretary of Labour (now again Ministry of Labour), they were accompanied by the Confederación de Trabajadores de la Economía Popular (CTEP), that represents workers in informal activities and which has acquired great centrality in the country's political scene in recent years given the rise of informal work.

31 Kellogg, K., M. Valentine and A. Christin "Algorithms at work: The new contested terrain of control."

32 As of 2021, Glovo and Ubereats are no longer operating in the country.

As discussed in the literature,[33] the relationship between platform workers organisations, whether they are grassroots organisations or unions, with other workers organisations such as longstanding transport or delivery unions and workers national confederations is not an easy or stable one. In some cases, longstanding unions view new platform workers' organisations as competitors and make use of their institutional power to benefit their own. In other cases, unions or confederations publicly support these new organisations but fail to recognise their workers as part of their base of representation. This is common to many workers in informal activities that, because of not being employees, cannot access traditional union representation. In that sense, the labour-capital conflict in the platform sector reproduces similar dynamics to that of other informal economic activity.

In the end of 2018, leaders of APP union were blocked by Rappi and could no longer continue working on that platform. As a result, APP initiated legal actions for discriminatory action against the union. In March 2019, a ruling in the first instance by the national labour justice ordered Rappi to unblock these workers. Although Rappi appealed this rule, the court rule was important for platform workers' fight in the country as it spoke about an employment relationship between platform workers and platform companies.

These events gained the attention of the media, where APP's leaders and other organised workers were interviewed several times. Activist journalists also published multiple articles and testimonies portraying the precarious working conditions faced by workers in delivery platforms.[34] APP and other delivery platform workers organisations, such as Agrupación de Trabajadores de Reparto (ATR) and Rappis y Furioses, were also active on Twitter, Instagram and social media in general, through where they expressed their demands and reported abuses by the police or the lack of insurance provided by platforms when they suffered accidents while working. Related to that, in April 2019, there was a ruling in Buenos Aires City that prohibited the activity of platforms Rappi, Glovo and Pedidos Ya for not complying with transit regulations. As a consequence, workers had to face controls by police on the streets who, on many occasions, confiscated their backpacks and gave them tickets, making them unable to conduct their jobs. APP reported that this ruling only affected workers and did nothing to improve platforms' compliance with transit regulations. They did not assume any responsibility for supplying workers

33 Vandaele, K. "Will trade unions survive in the platform economy? Emerging patterns of platform workers' collective voice and representation in Europe".

34 Revista Anfibia. "Plataformas: una serie documental". http://revistaanfibia.com/cronica/plataformas-una-serie-documental/ (Accesed August 14, 2021).

with the appropriate elements, permits and insurance to perform their jobs. Just like what happened with Uber, these types of rulings did not achieve the goal they were set to. Platform companies continued operating while workers had to face the consequences, deepening the precarity of their jobs by forcing them to work in a semi-ilegal situation.

Delivery platforms continued to expand their operations to other cities in the country. Along with the expansion of platforms' operations, new groups of workers started mobilising against their labour policies in cities like La Plata, Córdoba and Mar del Plata. Among their demands, they asked for higher rates, health insurance and to be recognised as employees.

Finally, there is a group of grassroots organisations that were created over the years in the delivery platform sector in Argentina. Among them, we find Glovers Unidos Argentina, Agrupación de Trabajadores de Reparto (ATR), Rappis and Furioses, Redapps Unidos Argentina which have been coordinating collective actions in the context of the lockdown. Furthermore, a new union was formed in 2020, called Sindicato de Base de Trabajadores de Reparto por Aplicación (SiTraRepA). Although some of these organisations existed prior to the pandemic, they have gained attention and expanded their membership as a result of their activity during the lockdown.

As we can see, almost from the moment delivery platforms arrived in the country, conflict arised between them and their workers. Although several studies have shown how the control mechanisms implemented by platform companies in the labour process and their control over workers payments points to a labour relationship with subordination, the lack of regulation in the sector has allowed companies to continue denying that relationship. Moreover, a study in Buenos Aires province performed in July 2020, showed that 94% of delivery platform workers identified the company as the only responsible of the organisation of labour in the app.[35] However, their classification as independent contractors not only denies workers access to social security through their jobs but also leaves them in an unprotected situation. Hence, platform companies have implemented several anti-union and anti-protest strategies such as blockings and suspensions, which are equivalent to firing; raising their payments during strikes to break them; favouring new workers over old ones to promote rotation, and using GPS workers data to split groups of organised workers.

35 Ministerio de Trabajo de la Provincia de Buenos Aires. "Descripción de las condiciones laborales de los y las trabajadores de delivery a través de plataformas digitales", unpublished report, 2021.

## 4 The Attack on Labour during the Pandemic: Precarious Work under the Epidemiological Crisis

As we have analysed in the previous section, labour conditions in the delivery platform sector of Argentina are highly precarious. The main source of precarity is the absence of a labour contract between the companies and the workers, leaving the latter to a status of 'independent contractor'. When the pandemic began in Argentina, the government decreed the social, preventive and compulsory isolation (ASPO), which suspended most economic activities, except delivery platforms, among others. In this section, we analyse the companies's labour policies during the pandemic in order to define if the precarity of work in the sector was reversed during the pandemic or, on the contrary, new precarities emerged in the context of work during the epidemiological crisis.

The information that we use in this section is based on our own in-depth interviews with workers during April–July 2020,[36] combined with the results of the official study about labour conditions in this sector during the pandemic.[37] The study "Descripción de las condiciones laborales de los y las trabajadores de delivery a través de plataformas digitales." is based on data provided by 172

TABLE 10.1 Precarious labour conditions of delivery platform workers during the pandemic (N = 172)

| Dimension of job precarity | % |
|---|---|
| Works 7 days a week | 72.7 |
| NO paid leave/paid vacation time | 99.8 |
| NO health insurance in case of accident | 75.6 |
| Did not receive hygienic care products to prevent contagions | 69.2 |
| Did not receive a care protocol for Covid-19 | 58.7 |

SOURCE: MINISTERIO DE TRABAJO DE LA PROVINCIA DE BUENOS AIRES (2021)[38]

36 For a detailed description of our qualitative fieldwork including demographic characteristics of our interviewees see Elbert, R. & Negri, S. "Delivery Platform Workers during covid-19 Pandemic in the City of Buenos Aires (Argentina): Deepened Precarity and Workers' Response in a Context of Epidemiological Crisis."

37 Ministerio de Trabajo de la Provincia de Buenos Aires. "Descripción de las condiciones laborales de los y las trabajadores de delivery a través de plataformas digitales".

38 Ministerio de Trabajo de la Provincia de Buenos Aires. "Descripción de las condiciones laborales de los y las trabajadores de delivery a través de plataformas digitales".

delivery platform workers who were surveyed in July 2020. It is a unique source of information to analyse the type of precarity that workers suffered during the pandemic.

A first look at data from Table 10.1 suggests that job precarity in the sector was deepened because new precarities and risks were added to the old problems that workers had to face in the past. The absence of proper regulation of the employment relation meant that at the beginning of the pandemic there was no official regulation to determine which policies companies should implement to protect their workers in this new situation. In this context, companies decided on their own which policies should regulate delivery workers' working conditions during the pandemic.

The first action that the companies implemented once the pandemic began was an aggressive public and internal campaign to highlight the 'heroic' character of delivery platform workers who were doing essential work in a context of high epidemiological risk. However, this message was not supported by improved working conditions to face the new challenges and risks. As we can see in Table 10.1, almost all surveyed workers lacked paid leave (99.8%), which means that workers could not stay home during the pandemic even if they had comorbidities or were in charge of minors or old people at risk. Since they are not recognised as employees, the government decree that allowed workers to take paid leave of absences in certain situations did not apply to them. This precarious situation forced many platform workers to choose between the health of their family or their income. Many of our interviewees reinforced this idea: they feared to bring the virus at home, but they also feared to lose the only or main income that supported their families.

For those workers who continued their work once the ASPO began, there was no clear indication about how to proceed to prevent the virus, or enough hygienic care materials to achieve this goal. The survey from the labour office shows that around two thirds of the workers did not receive enough materials, and less than half of workers said they got a protocol from the companies (see Table 10.1). This information was confirmed in our in depth interviews with workers, who told us that all the companies sent some communications about how to implement social distancing and hygienic care but there was no systematic care protocol to follow.

The provision of hygienic care material from the companies to the workers was also scarce. As it is shown in Table 10.1, around 69% of surveyed workers did not receive this type of material. Our fieldwork confirmed this information, showing that each company implemented a different strategy to deliver

the hygienic products, but workers think that the delivery started too late (between one week and 10 days after the ASPO began) and they did not provide enough products. At most, they provided one mask and one small bottle of antibacterial gel per worker, which was much less than what the workers needed. The quality of the masks and the gloves was also questioned by most of our interviewees. According to this, workers would need at least 3 masks, good quality gloves and one medium size bottle of antibacterial gel a day. The gap between what they need and what they receive is quite large, so they feel unsafe when doing their job.

Finally, during the pandemic workers confronted higher health risks but were not given the right to health insurance or paid sick leave. These two rights are included in the standard employment relation in Argentina, but since these workers are considered 'independent', they are denied access to them. As we can see in Table 10.1, none of the surveyed workers enjoyed paid leave (which includes paid sick leave) and around 75% of workers did not have health insurance in case of accidents. Additionally, it is safe to assume that the 25% of workers who declared to have health insurance decided to afford it with their own money.

In the context of the COVID-19 pandemic, many of our interviewees were worried about what would happen if they had to stop working because they were infected by the virus. In the previous context, if a worker did not work, they did not earn an income: would this change in the new situation? The workers that we interviewed during fieldwork did not have a clear notion of what would happen if they were infected and had to implement the protocol of social isolation during 14 days. This reflects an intended ambiguity from the companies, which started some rumors that they would guaranteed the workers' income during this period but no one was certain as to how much they would earn in that case or what would happen if the virus affected them in ways that they could not go back to work for an extended period of time.

In this section we have evaluated the type of job precarity that affected delivery platform workers during the first year of the pandemic. Based on official data as well as our own fieldwork, we conclude that delivery platform workers entered the pandemic in a highly precarious situation because companies did not recognise the employment relationship with their workers. As a consequence of this, workers did not enjoy the basic rights of the employment contract, such as a secured salary, health insurance, paid sick leave, among others. In addition, there was a lack of state regulation of the sector, which in the pandemic meant that companies were left to decide which policies to implement.

In this context, old precarities were coupled with new preacarities associated to the higher health risks of working in a pandemic. First of all, workers were forced to go to the streets because they did not have a secured income if they did not work. Some of our interviewees, who were in charge of children or people at risk, faced the dilemma of taking the risk to get COVID or not being able to pay the rent. In addition to this, companies did not have a systematic care policy to help workers prevent contagions. Furthermore, workers did not have the right to stay at home even if they got COVID because they were not provided with health insurance or paid sick leave. This deepened precarity was faced with an increasing activism in the sector. As we will analyse in the next section, one of the main responses to this unfair situation was the greater involvement of workers and organisations in digital activism.

## 5 Labour Unrest and Digital Protest in the Delivery Platform Sector during the Pandemic

In this section we analyse the dynamics of digital protest in the delivery platform sector in Argentina and Latin America through the exploration of Twitter data during the first part of the pandemic. As a first approach, we aim to describe the evolution, geographical reach, main demands and actors of digital protest from the first international strike that took place during the pandemic on April 22 to the international strike of July 1. We chose this period because it includes the first and strictest lockdown in Argentina, which is the main focus of our analysis.

As we can see in Figure 10.1, between the months of March and July 2020, delivery platform workers in Argentina organised and participated in 3 international strikes (April 22, May 29 and July 1), one national strike (May 8), 3 national digital assemblies (April 29, May 18 and June 22) and conducted several social media campaigns and published statements to voice their demands and initiate a public debate around working conditions in the delivery sector. As we have shown in a previous work,[39] during this period there was a boost in associative power of the riders movement in the country, expressed in the number of strikes and labour actions, as well as the emergence of new organisations and the geographical expansion of existing ones.

39 Elbert, R. & Negri, S. "Delivery Platform Workers during covid-19 Pandemic in the City of Buenos Aires (Argentina): Deepened Precarity and Workers' Response in a Context of Epidemiological Crisis."

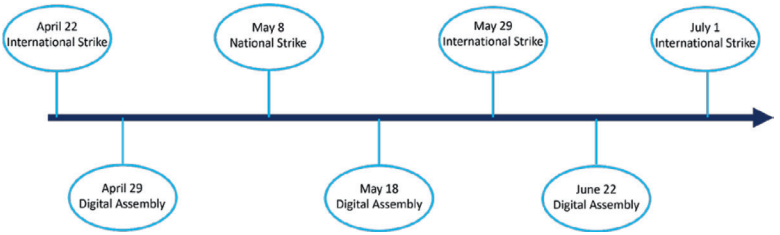


FIGURE 10.1 Timeline of delivery platform workers mobilisation in Argentina between March 1 and July 31, 2020

SOURCE: OWN ELABORATION

In particular, it is important to mention that during 2020 there was an expansion and consolidation of grassroots organisations of riders, such as ATR (Agrupación de Trabajadores de Reparto), Glovers Unidos and Rappis y Furioses. These organisations grew in membership, geographical reach and international networks. Although at the beginning of the lockdown, in March 2020, the main organisation was the Asociación del Personal de Plataformas (created at the end of 2018), in the following months organisations such as ATR and Glovers Unidos gained leadership in organising the strikes. In addition, new organisations emerged and grew in other parts of the country, bringing an unprecedented national presence to the riders movement. In that sense, one of the outstanding phenomena in relation to the protest of platform workers during the pandemic was the generation of networks between organisations not only from different regions of Argentina but from different countries. The characteristics of the platform sector and the context of the pandemic favored the development of digital networks between organisations as well as the realisation of collective actions through digital spaces both for dissemination purposes and as a tool for protest in itself.

In order to understand the dynamics of digital activism of riders in Argentina during the pandemic, we first need to understand the regional patterns of digital protest. As we see in Table 10.2, the countries from where most tweets were posted are the countries with the largest populations in Latin America. However, the leap between them is considerable and Argentina shows greater activism than Mexico, although it has a much smaller population. In sum, we could say that Brazil and Argentina led the digital protest of platform workers on Twitter, but it is also redeemable that there has been activism from this multiplicity of countries from different parts of the subcontinent.

When we look at the evolution of Tweets in time, from March 1 to July 31 of 2020, we see that participation and activism on this social network grew consistently throughout the period. The peaks in Chart 10.1 correspond to the

TABLE 10.2 Tweets per country posted between March 1 and July 31, 2020 (N = 43923)[a]

| Country | Tweets |
|---|---|
| Brazil | 37074 |
| Argentina | 5913 |
| Mexico | 748 |
| Uruguay | 47 |
| Colombia | 39 |
| Ecuador | 28 |
| Cuba | 21 |
| Chile | 17 |
| Salvador | 17 |
| Peru | 8 |
| Venezuela | 5 |
| Guatemala | 3 |
| Nicaragua | 3 |

a 12177 tweets from our dataset had no location information

SOURCE: OWN ELABORATION BASED ON TWITTER DATA

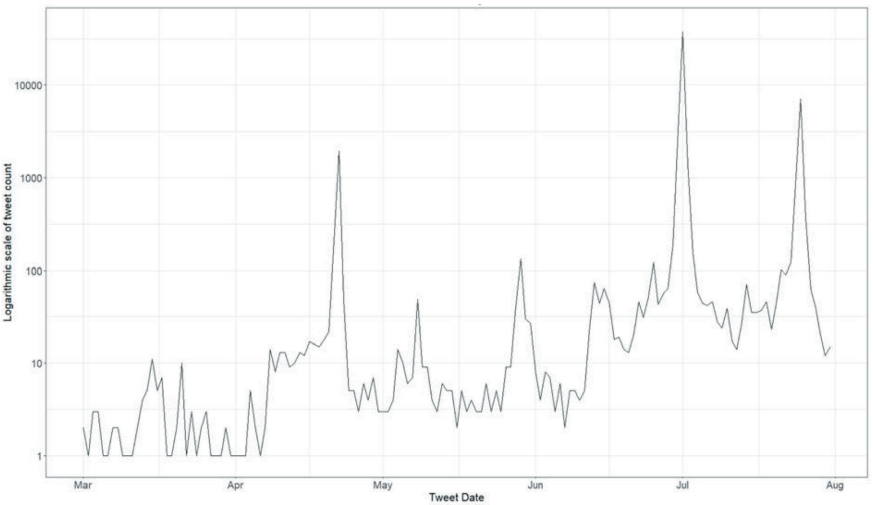


CHART 10.1 Evolution of tweets from March 1 to July 31, 2020 (N = 56100)[a]

a The logarithmic scale was used for axis Y to improve data presentation

SOURCE: OWN ELABORATION BASED ON TWITTER DATA

strike days that were organised at a regional level, with participation of many countries (April 22, May 29 and July 1). The other two peaks of activism correspond to one strike that was only happening in Argentina (May 8) and another one that happened exclusively in Brazil (July 25).

In that sense, it is notable the consistency of digital protest by platform workers on Twitter, as we can see that during all actions of protest there was a significant peak in the amount of tweets published. But also, this chart reflects that digital protest through tweets went on after the strikes, which points to a use of this digital space not only as a mean of diffusion for the strikes but as a platform for continuous activism, used to voice demands and visibilise workers' grievances before, on and after strikes.

As for the considerably biggest peak on July 1, the next chart shows that it is explained by the rise in protest from Brazil. During the first 3 strikes, activism

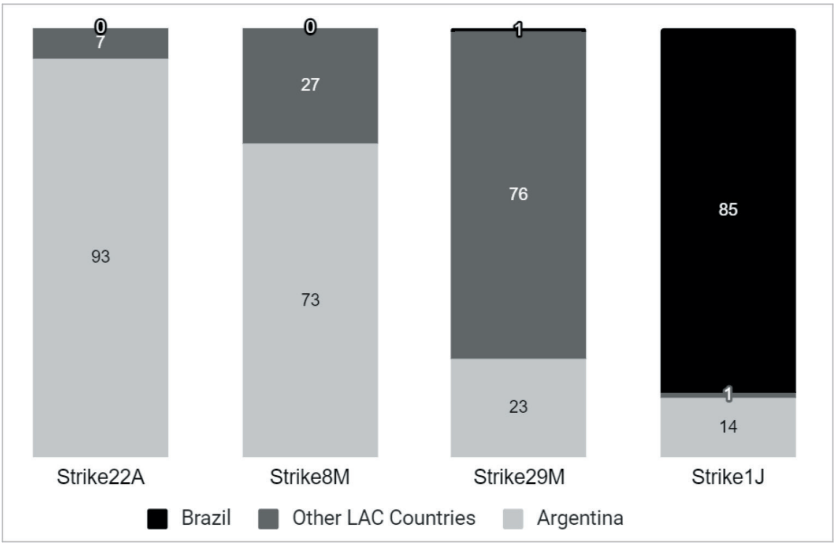


CHART 10.2 Tweets by location per strike (%) (N = 34425)[a]

SOURCE: OWN ELABORATION BASED ON TWITTER DATA

a Frequencies for chart:

| | Strike22A | Strike8M | Strike29M | Strike1J |
|---|---|---|---|---|
| Argentina | 1111 | 57 | 40 | 4614 |
| Other LAC Countries | 82 | 21 | 130 | 210 |
| Brazil | 3 | 0 | 2 | 28155 |
| Total | 1196 | 78 | 172 | 32979 |

was led by Argentina and followed by users and workers' organisations in other Latin American countries but with little or no participation from Brazil. Although we see an initial contribution of tweets from Brazil on the strike of May 29, no organisation from that country had formally participated in the call for it. Only for the strike on July 1 we see an organisation from Brazil signing the statement published by several organisations from Latin American countries to call for the strike.

It is important to mention that our analysis focuses on the strikes with participation of delivery workers from Argentina: April 22, May 8, May 29 and July 1. Apart from these, there had been other national strikes in other countries of the region. For example, a strike at the beginning of April in Guatemala, a strike in May in Chile and a strike at the end of July in Brazil. Now, we will take a closer look at each of these actions, in order to understand the twitter dynamics of activism in this period.

First, on April 22, multiple organisations called for the first international strike during the pandemic, to express the demands of riders working during the epidemiological crisis. The statement published calling for the strike included signatures of three organisations from Argentina (ATR, Glovers Unidos Argentina and RappisyFurioses) as well as organisations from other countries including Glovers Unidos España, Glovers Costa Rica, Glovers Elite Guatemala, Repartidores Perú, Glovers Ecuador. This text highlighted the similarity of the precarity faced by delivery platform workers in all these countries and how the pandemic had affected their work conditions. The demands focused on asking companies to provide safety elements regarding Covid-19 and to raise the payment per order fee to represent the sacrifice made by workers to continue with their jobs during high epidemiological risk. The text also mentions particular cases of mobilisation in some Argentine cities such as Neuquén, Mar del Plata and Rosario, where a rider was killed while working on the platform. In addition to these demands, one of the Argentine organisations (APP) mentioned the need for paid leave for those who had to take care of their children, elders and for pregnant people. On April 21, a 'twitazo' with the hashtags "#YoNoReparto" ("I don't deliver") and "#ParoDeRepartidores" ("delivery workers strike") was initiated by organisations to call for the strike on the next day.

After that first strike, ATR and Glovers Unidos Argentina organised a national digital assembly through Zoom to discuss next steps. This digital assembly took place on April 29 and counted with the participation of members from the three organisations from different parts of the country. Its main result was the call for a national strike on May 8. This strike included a mobilisation to the Ministry of Labour in Buenos Aires city and other mobilisation

Rappi Glovo PedidosYa Uber Eats

22 DE ABRIL PARO INTERNACIONAL DE REPARTIDORES

COMUNICADO INTERNACIONAL DE REPARTIDORES

La pandemia en curso puso de manifiesto e incluso profundiza cada día más las condiciones de super explotación y precarización laboral de los trabajadores de reparto en todo el mundo.

Es de conocimiento público que la medida tomada por los gobiernos de cualquier color político en el mundo junto con los decretos de cuarentena obligatoria fue declarar de carácter esencial el trabajo de los repartidores de apps.

Esto se tradujo en explotación a fondo del lucro por parte de las empresas de reparto (Rappi, Glovo, PedidosYa, UberEats, Deliveroo, etc) a costa de la exposición de los repartidores al contagio del COVID-19. Con la pandemia se profundizaron las condiciones de precarización existentes en las aplicaciones, recientemente en Argentina murió atropellado Emma mientras repartía para PedidosYa, la comunidad Haitiana está juntando firmas para esclarecer el caso. Llamamos a todos los repartidores a apoyar el pedido de justicia.

Las patronales de las plataformas tuvieron el mismo método en todos los países: dejar librada a su suerte a todos los riders. No han entregado elementos de seguridad e higiene, y si alguna de las empresas lo ha hecho eran elementos insuficientes y precarios para enfrentar largas jornadas de trabajo que rondan entre las 8 y 12hs.

Se profundizó la necesidad de aumentos de pagos por pedido a cargo de las empresas, congelados hace muchos meses en todos los países y, con la ausencia de leyes regulatorias de la actividad, todo esto queda a la buena (o mala) voluntad de las empresas.

Sin respuestas por parte de las empresas y con la vista gorda de los gobiernos, los repartidores nos organizarnos en un frente único internacional de lucha por nuestras reivindicaciones más urgentes: aumentos de pagos por envíos a cargo de la empresa acorde a la crisis económica mundial, es decir **100% de aumento del pago por pedido y elementos de seguridad e higiene que sean de calidad y cantidad acorde a las jornadas laborales y la crisis sanitaria en curso.**

Después de las importantes luchas en Mar del Plata, Rosario y Neuquén (Argentina), los compañeros de Guatemala organizaron un paro el día 5 de Abril. Los Riders en España fueron a la huelga y movilizaron contra la reducción del 50% el pago de los pedidos que impuso Glovo. En Perú los repartidores se enfrentan al cierre de las aplicaciones de reparto por una decisión arbitraria por parte del Estado, dejando a centenares de trabajadores sin sustento en el marco de un parate económico mundial. En Costa Rica quitaron multiplicadores, bonos por lluvia y aplicaron pedidos dobles (ellos cobran 2, a nosotros nos pagan por 1)

**El día 22 de Abril vamos a un paro internacional**

Los repartidores de todo el mundo, sin importar la nacionalidad ni la aplicación en la que trabajamos, tenemos que unirnos en una lucha para derrotarlas.

La unidad y organización de los repartidores de todas las apps de todos los países es el único camino para conquistar todos nuestros derechos.

#YoNoReparto #22AParoInternacionalDeRepartidores #22ANoReparto

GLOVERS UNIDOS ARGENTINA ATR Glovers Unidos España GLOVERS COSTA RICA Glovers Elite GUATEMALA REPARTIDORES PERÚ GLOVERS ECUADOR

FIGURE 10.2 Statement published by delivery platform workers organisations calling to strike on April 22 2020

SOURCE: AGRUPACIÓN DE TRABAJADORES DE REPARTO (ATR) INSTAGRAM ACCOUNT

in central squares and neuralgic spaces in Mar del Plata, La Plata and Rosario. One of the new demands in this strike was regarding the blocking that platform companies had performed after their first strike. Many mobilised workers had been blocked from the apps and could no longer work with them, which is equivalent to firing them. In that sense, the study from the Buenos Aires Province government showed that 42% of delivery platform workers said they had been blocked or suspended by the app.[40]

40 Ministerio de Trabajo de la Provincia de Buenos Aires. "Descripción de las condiciones laborales de los y las trabajadores de delivery a través de plataformas digitales".

After this strike, a second national digital assembly was held on May 18, also through Zoom. Organisations then published the resolutions made during that digital assembly. These included demands such as: a 100% raise in the payment rate, health insurance paid by the platforms, hygienic and security elements for workers and a stop to unfair blocking and suspensions of mobilised workers in the platforms's apps. Moreover, during this assembly a national strike was set for May 29, which later on became an international strike with the participation of the same countries as before plus organisations from Chile and Mexico. The demands were the same as before, given that companies hadn't made any changes in their policies and instead had continued blocking mobilised workers everywhere. A topic that had acquired greater centrality was the death of another delivery worker while on the job. Organisations demanded better working conditions, less pressure to deliver orders so fast and compensation to the families of the victims. In this strike also participated a new organisation from Argentina called Jóvenes Trabajadores Precarizados, which continued growing since then and is aiming to create a formal union, "Sindicato de Trabajadores de Reparto por Aplicación" (SiTraRepA).

The strikes on May 8 and May 29 were the smallest ones when we look at the Twitter data and this might be explained by the fact that, in Argentina, a greater emphasis was put on mobilising physically to central spots in the main cities of the country. In that sense, on the day of the strike workers in La Plata, Buenos Aires, Rosario, Mar del Plata, Córdoba and Villa Ballester, among other cities located in different parts of the country, were mobilising and hence, organisations weren't focusing on tweeting during that time.

Finally, after a third digital assembly, an international strike was planned for July 1 2020. The statement published included the organisations that had participated before plus two workers' organisations from Brazil and it was published both in Spanish and in Portuguese. This strike was the biggest one in terms of the geographical reach and in terms of impact both digitally and in public spaces. The participation of Brazil helped workers' organisations and their demands gain international attention. In a way, it was the consolidation of the networks and coordination that had been building since the start of the lockdown in Latin America and it opened the door to a relationship with platform workers organisations from other parts of the world, like the Independent Workers of Great Britain organisation.

Another insight of this analysis points that the expansion in the geographical reach of platform workers digital protest not only took place at the international level among countries but also within national territories. In Argentina, mobilisation had initially emerged in Buenos Aires City during 2018 but, in time, new organisations appeared in other cities of the country from different

COMUNICADO INTERNACIONAL
1/7 VAMOS A UN NUEVO PARO INTERNACIONAL DE REPARTIDORES
A pesar de haber sido declarados trabajadores esenciales en muchos países, y como piezas fundamentales de la sociedad en el marco del aislamiento obligatorio, la situación global de los repartidores es de hiper-explotación y de una precarización extrema.
Luego de haber realizado 2 paros internacionales el 22 de abril y el 29 de mayo, golpeando a las empresas que en la mayoría de los casos son patronales comúnes con un programa de reclamos unificado, repartidores de Brasil, Chile, Ecuador, Mexico, Costa Rica, Guatemala y Argentina llegaron a la conclusión de realizar una nueva jornada de lucha común e internacional.
Las y los repartidores tenemos la necesidad de ajustar los ingresos, venimos sufriendo un congelamiento hace mas de dos años e incluso los casos en que se han recortado directamente los ingresos hasta en un 50%; las empresas nos mandan a la calle sin materiales de seguridad e higiene para evitar los contagios, la falta de seguros contra robos, choques y accidentes, urge las indemnización de las decenas de muertes que se acumulan en todos los países en estos mas de tres meses de pandemia.
Tenemos que luchar por los derechos mas básicos de los trabajadores como son los días de descanso, las vacaciones y el reconocimiento de la insalubridad para acotar las jornadas laborales y evitar así realmente los centenares de accidentes que se producen diariamente.
Hay una necesidad común de luchar por una regularización de nuestra tarea y desenmascarar la relación de "colaboradores", somos trabajadores y reclamaremos por nuestros derechos.
Impulsados por la grave situación social que se vive en Brasil, los trabajadores de las aplicaciones, en un camino de unidad sobre la base de la lucha por los reclamos de los trabajadores, han realizado importantes movilizaciones. Esta vez, el paro internacional se sentirá con fuerza en Brasil.
En cada país y en cada ciudad a la que lleguemos, impulsaremos campañas de adhesión, discusión en nuestros lugares de trabajo y una gran convocatoria ese día para salir nuevamente a las calles a exigir lo que merecemos. Esta convocatoria saldrá incluso traducida a tres idiomas, para recorrer el mundo y fortalecer la unidad internacional entre los trabajadores.
El 1ro de Julio los repartidores golpearemos nuevamente como un solo puño para enfrentar a Glovo, Rappi, Pedidos Ya, etc. Impulsaremos campañas de adhesión, asambleas y una gran convocatoria ese día para salir nuevamente a las calles a exigir lo que merecemos.
¡Viva el tercer paro internacional de los repartidores!
Viva la unidad de los trabajadores de todo el mundo que enfrenta no sólo la crisis sanitaria sino que enfrenta la crisis capitalista que los gobiernos y empresas intentan recostar sobre las espaldas de los trabajadores.
Nos organizamos y salimos a las calles por:
> Por ingresos acorde a la canasta familiar, y un bono de emergencia por actividad esencial
> Basta de muertes, justicia por todos nuestros compañeros fallecidos, ART PARA TODOS/AS
> Basta de bloqueos arbitrarios, restitución de todas las cuentas
> Contra las zonas liberadas, rechazo de pedidos sin sanciones
> Protocolos por covid. Testeos, cuarentena y resarcimiento económico para todos los Repartidores en contacto con locales o usuarios covid+
#BrequeDosApps - #YoNoReparto
BRASIL
BRASIL
ARGENTINA
ARGENTINA
ECUADOR
CHILE
COSTA RICA
MÉXICO
Internacional

FIGURE 10.3 Statement published by delivery platform workers organisations calling to strike on July 1 2020

SOURCE: AGRUPACIÓN DE TRABAJADORES DE REPARTO (ATR) INSTAGRAM ACCOUNT

regions. For example, Glovers Unidos Argentina was located in Mar del Plata and Rappis y Furioses in Córdoba, but groups of organised workers also mobilised in Neuquén and Rosario. Next, we show a heat map considering the tweets posted from each province in Argentina. As we observe, Buenos Aires Province and Buenos Aires City continue to lead digital protests which is understandable considering these areas are greatly populated. Nonetheless, we see an important participation in digital protests in provinces from the central region of the country, like Córdoba and Santa Fe, and from the southern region of the country, Patagonia, from Mendoza, Chubut and Neuquén.

To sum up, delivery platform workers' mobilisation during the first year of the pandemic experienced a growth in associative power and an expansion in geographical reach enabled by the construction of international solidarity

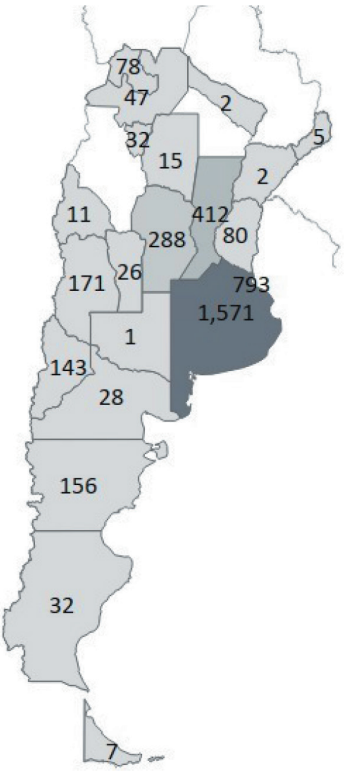


CHART 10.3
Tweets per Argentine province. From March 1 to July 31, 2020 (N = 3900)[a]

a From our dataset, we identified 5913 tweets from Argentina, but only 3900 of them had information related to a specific province

SOURCE: OWN ELABORATION BASED ON TWITTER DATA

networks between organisations from different cities and countries. Although, as we highlighted, multiple grassroots organisations emerged and grew during this process, some of them were particularly active on social media and led mobilisation through digital spaces. By analysing the users with most tweets related with delivery platform workers strikes in Latin America, excluding Brazil, we found that Ni Un Repartidor Menos (Mexico) was the organisation that tweeted the most, with 555 tweets during the analysed period, followed by ATR (Argentina) with 87 tweets, Redapps Unidos Argentina (Argentina) with 66 tweets and Jóvenes Trabajadores Precarizados (Argentina) with 34 tweets. Hence, we observe that the organisations that led digital protest in Argentina were some of the ones that were created or that grew exponentially during the pandemic, reflecting the boost that associative power experienced in the sector during the first half of 2020. Also, we see that traditional longstanding unions in the sector, such as ASIMM lost protagonism during this stage, in contrast with the newer organisations that became the main political actors of the sector.

Finally, we analysed the five most frequent hashtags in Argentina during the strikes for each region in the country. First, we observe that the only two strikes

TABLE 10.3 Most popular hashtags used in each strike according to location as Argentine regions

| | 22A | 8M | 29M | 1J | Other |
|---|---|---|---|---|---|
| Total Argentina | #22ANoReparto<br>#BoicotALos<br>Miserables<br>#YoNoReparto<br>#ParoDeRepartidores<br>#ElCapitalismo<br>EsElVirus | #YoNoReparto<br>#yonoreparto<br>#Caravanade<br>Reportidores<br>#CARAVANADE<br>REPARTIDORES<br>#Coronavirus | #YoNoReparto<br>#29MYoNoReparto<br>#CaravanaDeRepartidores<br>#ParoInteranacional<br>DeRepartidores<br>#Precarización | #LasVidasTrabajadoras<br>Importan<br>#NuestrasVidasValen<br>#nuestrasvidasvalen<br>#YoNoReparto<br>#BrequeDosApps | #Nuestras<br>VidasValen<br>#Precarizados<br>#YoNoReparto<br>#Justicia<br>PorEmma<br>#ElCapitalismo<br>EsElVirus |
| N | 1111 | 57 | 40 | 4614 | 91 |
| BUENOS AIRES | #22ANoReparto<br>#BoicotALos<br>Miserables<br>#YoNoReparto<br>#ParoDe<br>Repartidores<br>#22AParoInternacional<br>DeRepartidores | #YoNoReparto<br>#Apps<br>#laplata<br>#paroderepartidores<br>#PlazoMoreno | #YoNoReparto<br>#Derechos<br>#Paro<br>#Precarización<br>#Reparto | #LasVidasTrabajadoras<br>Importan<br>#NuestrasVidasValen<br>#nuestrasvidasvalen<br>#YoNoReparto<br>#BrequeDosApps | #Nuestras<br>VidasValen<br>#Precarizados<br>#Justicia<br>PorEmma<br>#ElCapitalismo<br>EsElVirus<br>#YoNoReparto |

| | | | | | |
|---|---|---|---|---|---|
| N | 506 | 13 | 19 | 2879 | 52 |
| CUYO | #ParoDeRepartidores<br>#YoNoReparto<br>#ElCapitalismo<br>EsElVirus<br>#22ANoReparto<br>#BoicotALos<br>Miserables | #ElCapitalismo<br>EsElVirus | #29MYoNoReparto<br>#EstamosConUstedes | #LasVidasTrabajadoras<br>Importan<br>#NuestrasVidasValen<br>#BrequeDosApps<br>#parointernacionaldere<br>partidores<br>#PedimosYaBastaDe<br>Precarizacion | #ElCapitalismo<br>EsElVirus |
| N | 60 | 1 | 1 | 145 | 1 |
| NEA | #YoNoReparto | #ElCapitalismo<br>EsElVirus | | #LasVidasTrabajadoras<br>Importan<br>#EntregadoresAntifascistas<br>#BrequeDosApps<br>#grevedosentregadores | #ElCapitalismo<br>EsElVirus |
| N | 2 | 1 | | 5 | 1 |
| NOA | #YoNoReparto<br>#ParoDeRepartidores<br>#BoicotALos<br>Miserables<br>#22ANoReparto<br>#ElCapitalismo<br>EsElVirus | | | #LasVidasTrabajadoras<br>Importan<br>#NuestrasVidasValen<br>#nuestrasvidasvalen<br>#DarVueltaTodo | #ElCapitalismo<br>EsElVirus |

TABLE 10.3 Most popular hashtags used in each strike according to location as Argentine regions (*Cont.*)

| | 22A | 8M | 29M | 1J | Other |
|---|---|---|---|---|---|
| N | 54 | | | 117 | 1 |
| PAMPEANA | #22ANoReparto<br>#BoicotALos<br>Miserables<br>#YoNoReparto<br>#ParoDeRepartidores<br>#ElCapitalismo<br>EsElVirus | #YoNoReparto<br>#ElCapitalismo<br>EselVirus<br>#LaNormalidad<br>EsElProblema<br>#paroderepartidores<br>#yonoreparto | #ParoInternaciona<br>lDeRepartidores<br>#Rosario<br>#29M<br>#DarVueltaTodo<br>#ElVirusEsElCapitalismo<br>#JusticiaPorEmma | #LasVidasTrabajadoras<br>Importan<br>#NuestrasVidasValen<br>#DarVueltaTodo<br>#YoNoReparto | #Nuestras<br>VidasValen<br>#Precarizados<br>#YoNoReparto<br>#asamlea<br>#Breque<br>DosApps |
| N | 223 | 4 | 5 | 536 | 13 |
| PATANGONIA | #22ANoReparto<br>#BoicotALos<br>Miserables<br>#YoNoReparto<br>#ParoDeRepartidores<br>#ElCapitalismo<br>EsElVirus<br>#Neuquén | | | #NuestrasVidasValen<br>#LasVidasTrabajadoras<br>Importan<br>#FraudeLaboral<br>#NuestrasVidasValenMas<br>QueSusGanacias<br>#TrabajdoresDeplataformas | #Nuestras<br>VidasValen<br>#Precarizados |
| N | 20 | | | 354 | 1 |

SOURCE: OWN ELABORATION BASED ON TWITTER DATA

where hashtags related to delivery platform workers protest were used in all regions were the strikes on April 22 and on July 1, confirming that these were the most popular ones and the ones with the highest geographical reach. This is also confirmed by looking at the amount of tweets posted in each region for each strike.

As for the content of the hashtags themselves, there is a trend that represents the changes in the demands. The hashtags for the first three strikes have more general demands like #YoNoReparto ("I don't deliver") or #ParoDeRepartidores ("delivery workers strike"), and then also some hashtags alluding to the pandemic and capitalism, for example, #ElCapitalismoEsElVirus, which translates to "capitalism is the virus". However, when we get to the strike on July 1, we see that most hashtags relate to a claim regarding the death of riders and delivery workers during the pandemic. By that time, according to some organisations around 6 workers had died in 5 months while working and no compensation or any type of help had been offered by the platform companies to the families of the victims. Consequently, we find hashtags like #LasVidasTrabajadorasImportan ("workers lives matter"), #NuestrasVidasValen ("our lives have value") and #NuestrasVidasValenMasQueSusGanancias ("our lives are worth more than your profit"). Throughout the strikes we find general demands against precarisation, calling to strike and asking for more rights. However, we also see that for the strikes on May 8 and May 29, some of the most frequent hashtags refer to mobilisations on the streets of the cities, like #CaravanaDeRepartidores ("caravan of delivery workers") and we then see some hashtags with proper names of the cities or squares where mobilisation is being called to. These change according to the region under analysis but we can see that the protagonist cities remain the same as the ones mentioned before: Neuquén, Rosario, La Plata. These cities were the ones with some of the hottest conflicts between workers and platform companies, apart from Buenos Aires City. Nonetheless, we find a commonality in the hashtags used and the strikes when they were used among different regions, apart from this location hashtags. This points to an existing coordination and communication between organisations from different areas and also to a common understanding of the main concerns surrounding the death of workers during the pandemic. One last point to make is related to the presence of hashtags in Portuguese during the strike of July 1. As we reviewed before, the call to strike on July 1 made by Argentine organisations such as ATR included both statements in Spanish and in Portuguese. In one of those statements it was highlighted that organisations from Brazil were going to join the movement of regional strikes for the first time and that it was going to have a big impact on mobilisation. In that sense, we could argue that the use of hashtags in Portuguese by users in Argentina was another way of highlighting

the international coordination of platform workers across borders and languages and of expressing support to delivery platform workers' fight in Brazil.

## 6 Conclusion

Labour scholars around the world debate about the consequences of the Covid-19 pandemic for the working class and the labour movement. On one hand, it is clear that inequality skyrocketed during the pandemic, leading to an unprecedented growth in the profit of the richest 1%. In a context of epidemiological crisis and strict lockdowns it was harder for workers to organise and defend their rights because their traditional repertoire of protest, including workplace assemblies and public demonstrations, assumes face to face interaction. The organisation of collective action in the working class requires a type of solidarity and coordination that emerges in the daily interaction at the labour process.

However, there is also evidence that, after an initial shock, the labour movement started to explore alternative ways of organising in order to defend workers' interests. The case of delivery platofrm workers in Argentina during the pandemic is a proof of this type of creative adaptation to organise under new circumstances. In a context where the digital became the main mode of communication and transaction, the platform model found a business opportunity to increase their earnings and expand. But so did the labour movement. Moved by the higher precarity faced during the pandemic and connected through digital spaces, platform workers organisations in Argentina and across Latin America built on the basis of common grievances and experiences a strike movement. The similarity of platform's labour processes and policies related to Covid plus the absence of a state regulation of the employment relationship between workers and platforms not only gave workers a set of common demands to articulate but a reason to find strength in the coordination of collective actions across borders and platform companies.

Given all this, it is worth highlighting the creativity and adaptability of platform workers to organise politically and to protest even in contexts and conditions of high vulnerability. Faced with the absence or irregularity of support from traditional union organisations, such as ASIMM in Argentina, delivery platform workers created their own organisations. Faced with the lack of regulation of the activity by the states for the protection of their labour rights and regarding collective organisation, delivery platform workers found support in other organisations and built networks nationally and internationally. Lastly, faced with the difficulty of physically mobilising in a context of high

epidemiological risk and government restrictions, delivery platform workers used technology to organise and protest via digital spaces.

Our research also speaks to the debate about the role of technology in labour organising around the world. Researchers from Europe and the US have shown that in some circumstances, technology can help the emancipatory action of workers.[41] The challenge is to understand the ways in which workers in the Global South confront digital platforms and the role of digital technologies in this struggle.[42] This chapter provided evidence that riders in Argentina resorted to digital platforms to organise their discontent in the context of strict lockdowns in the country. Workers creatively used platforms both in order to organise national and international assemblies and as a form of protest in the public arena. They did not replace public demonstrations, but they reinforced traditional labour actions with digital activism. The example of riders in Argentina during the pandemic shows that workers in the global south can creatively use digital technologies to express their discontent and that views of technology only as contributing to increasing exploitation and domination of a fragmented workforce do not capture the full reality of platform work in Latin America.

41 Woodcock, J. & Cant, C. "Digital Workerism: Technology, Platforms, and the Circulation of Workers' Struggles."

42 Grohmann, R. "Sindicatos de trabajadores de plataforma en comunicación: ¿una nueva ola de organización colectiva?". En Cordero, K. & Daza, C. (eds.) Precarización laboral en plataformas digitales (2020), 55–68.

CHAPTER 11

# Unevenly Protected. Institutional Protections for Domestic Workers in Argentina

*Lorena Poblete*

## 1 Introduction

In Argentina, formalization was considered the first step to achieving decent work for domestic workers, and state policies were based on the definition of informality proposed by the ILO which encompasses two different, contradictory notions. On the one hand, informality refers to the exclusion of certain categories of workers from the law; this brings up gaps in the existing legislation, which does not cover all of the positions on the labor market. On the other hand, informality is presented as a question of noncompliance with the law or even fraud.[1] Therefore, state intervention can take two very different paths: it may target the legal framework, on the one hand, and implement effective enforcement mechanisms on the other.[2]

Hence, the state embarked on both of these paths to ensure the formalization of domestic work through three main institutions: Congress, the National Tax Agency and the Domestic Work Tribunal. Since 1999, Congress has sought to extend the scope of legislation to include all domestic workers, regardless of their working-time arrangement. In addition, the National Tax Agency has developed various enforcement strategies. Between 2000 and 2013, informality was interpreted as the result of lack of information on the part of employers, along with an unawareness of their legal obligations. However, after 2013, the National Tax Agency and the Domestic Work Tribunal came to see non-compliance on the part of employers as a deliberate action that has to be pursued and penalized.

1 Davidov, G. "Enforcement problems in 'informal' labor markets: a view from Israel." Comparative Labor Law and Policy Journal 27 (2005), 3–26.

2 Poblete, L. "The Different Meanings of Formalisation. Experiments from the South: The Case of Argentina." In D. Ashiagbor, ed., Re-Imagining Labour Law for Development: Informal Work in the Global North and South (London: HART PUBLISHING, 2019), 167–189.

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The normative reform started in 1999 with the creation of a specific social security system for domestic workers. Then, in 2010 before the approval of the Convention 189 a more comprehensive legal reform was presented to the Congress. The debate surrounding the new piece of legislation, and the subsequent regulations seeking to establish new enforcement mechanisms and to reorganize the labor dispute mechanisms, contain one particularly sticky issue related to the definition of domestic work through working-time arrangements. According to Convention 189, 'a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker' (art. 1, c). Within the Decent Work Agenda, the definition of what constitutes a 'decent work' depends on the social function attributed to paid domestic work in a particular setting. Thus, to draw the line between a 'decent work' (conceived as a 'good job' or a 'real' job) and a sporadic activity, state agents in all three institutions embrace the rules already in place. Because the social idea of a 'good job' is based on the employee's status, long-term, full-time and fully protected employment relationship represents the aspirational model of work for Argentine society. Although the intention of formalizing all kinds of domestic work relationships led state agents towards innovative mechanisms, path dependency guided institutional responses.

Looking at three different state institutions participating in this process, this chapter seeks to understand how the notion of informality and the conceptualization of this particular labor relationship condition institutional responses. From an institutional approach, the way in which the Argentine Congress, National Tax Agency and Domestic Work Tribunal contribute to transforming domestic work into protected work will be analyzed using various methodologies. First, document analysis includes congressional reports, legislation and administrative regulations. Second, we interviewed five state agents working at the National Tax Agency, the Labor Secretary and the Social Security Agency. Additionally, we did an ethnographic fieldwork for three months at the Domestic Work Tribunal in Buenos Aires. During that time, we witness all the steps of the legal procedure—from the filing of the complaint to the revision of the ruling—; we also interviewed ten agents working at the Tribunal in different positions.

Over the last two decades, these three state institutions have introduced innovative policies and mechanisms. Important regulatory amendments were included in a 2013 law to expand labor rights for domestic workers; innovative enforcement mechanisms have been implemented for the formalization

of the labor relationship of domestic workers; and labor dispute mechanisms have been simplified to facilitate the legal process and ensure swifter decisions. In all cases, however, the three institutions focus on one particular working-time arrangement: full-time work. As a result of the state's actions as well as omissions, domestic workers working a few hours per week for several employers do not access the same protections, and are only marginally included within the scope of the law.

The chapter is divided into four sections. The first present briefly the domestic sector in Argentina. The second describes changes in legislation, the third analyzes innovative enforcement mechanisms introduced by the National Tax Agency and, the fourth section evaluates the institutional response at the Domestic Work Tribunal.

## 2 The Heterogeneity within the Sector

Paid domestic work constitutes a significant portion of female work in Argentina: 15.5% of all working women and 20.5% of all female wage-earners are domestic workers. It is a type of work that tends to be both precarious and informal, two interrelated features. Most domestic workers are not enrolled in the social security system and have no labor contract, and their working conditions are precarious, particularly with regard to working hours and wages. Although informality has decreased in the last two decades, it remains the norm. In 2003 only five percent of paid domestic workers were formally employed; in 2019, this number had risen to just 24%.[3]

As a sector, domestic work mimics the structure of the Argentine labor market where there is one group of workers more likely to be protected, one group for whom social protections are scarce, and a third for whom such protections are virtually inexistent. The divide between these three groups depends on working-time arrangements. Domestic workers who perform at least 16 hours of work per week for the same employer are more likely to access labor and social security rights than those hired for 12 to 16 hours per week, and much more likely than those working less than 12 hours.[4] The

3 The following data correspond to the Permanent Household Survey, fourth quarter of 2019 (source INCEC, www.indec.gob.ar).

4 Live-in workers are not considered here because they represent just 0.7% of all domestic workers in Argentina.

difference between these three groups in terms of protection is related to the Domestic Work Social Security Regime, and to noncompliance on the part of employers. The first domestic workers' group—the most protected of the three—accounts for 53% of all domestic workers, the second for 14%, and the third for 30%.

In terms of formal employment, 39% of the domestic workers in the first group are formally employed. Forty-one percent of this group has the right to paid vacations and 43% receive the annual bonus that they are entitled to by law; these two labor rights do not depend on formality de facto, though they are linked de jure. In contrast, only 16% of domestic workers in the second group are formally employed, with 22% receiving their annual bonus and 20% enjoying paid vacations. In the third group, those working less than 12 hours per week, just five percent are formally employed, only seven percent of whom received the annual bonus and six percent, paid vacations.[5] Hence, domestic work is a sector whose workers face very different situations: while almost half of domestic workers in the first group have access to social security and labor rights, this number stands at only around six percent for the third group.

Inequality within the sector is flagrant. Thus, domestic workers doing a few hours of work per week for one or various employers are more likely to be informal workers and agree to precarious working conditions and lower wages. Sixteen percent of all domestic workers work for two employers, and 14% work for three or more employers.[6] This working-time arrangement—a few hours for various employers—is rarely associated with core concepts such as a labor contract and the entitlement to labor and social security rights. Consequently, the traditional idea of domestic work as 'help,' not as a proper job, comes into effect. The contemporary notion of domestic work is still based on the original servitude model that created this set of jobs,[7] and

5 Pereyra, F. "Trabajadoras domésticas y protección social en Argentina: avances y desafíos pendientes." Serie Documento de Trabajo #15. (Buenos Aires: OIT, 2017).

6 Gorbán, D., and A. Tizziani. ¿Cada una en su lugar? Trabajo, género y clase en el servicio doméstico (Buenos Aires: Editorial Biblos, 2018).

7 Kuznesof, E. "Historia del servicio doméstico en la América hispana (1492–1980)." In Muchacha, cachifa, criada, empleada, empregadinha, sirvienta y…nada más: Trabajadoras del hogar en América Latina y el Caribe, eds. E. Chaney, and M. Garcia Castro (Caracas: Nueva Sociedad, 1993), 25–40.

TABLE 11.1 Domestic work features by working time arrangements

| Working time arrangements | % of total domestic work | Formal workers | Paid vacations | Annual bonus |
|---|---|---|---|---|
| More than 16 hours | 53% | 39% | 41% | 43% |
| Between 12 and 16 hours | 14% | 16% | 20% | 22% |
| Less than 12 hours | 30% | 5% | 5% | 7% |

includes similar forms of exploitation.[8] Domestic work was seen as a natural activity for women, and domestic workers were thus viewed as family members subject to the family's authority.[9] The social inequality that led workers from poor sectors to seek work in the households of wealthier sectors contributes to reaffirming this model.

The employer is responsible for determining most of the working conditions in both formal and informal arrangements. These decisions are often arbitrary, and may vary according to the needs or preferences of the employer's family. The law seems powerless within the household. As Adelle Blackett highlighted, another law, the law of the household workplace, governs this labor relation. 'The pluralist law beyond the state in the domestic work relationship is powerful enough to have a tight grip on that relationship even in the presence of state law, national or international'.[10] Thus, domestic workers work long hours without breaks and without payment for overtime; they rarely eat the same meals as their employers and must sometimes bring their own food; they must wear uniforms, even when in public; they must accept whatever wage the employer is willing to pay, along with delays in payment; and they must show deference to their employers. While this holds true in all kinds of arrangements, it is particularly so when domestic workers work only for few hours because they are not seen as workers, and their work is conceived as an odd job. Consequently, employers believe that they do not have to comply with the law.

8 Valenzuela, M.E., and C. Mora, eds. Trabajo doméstico. Un largo camino hacia el trabajo decente (Santiago de Chile: OIT, 2009).

9 Lautier, B., and B. Destremau. "Introduction: Femmes en domesticité. Les domestiques du Sud, au Nord et au Sud." Revue Tiers Monde 170 (2002), 249–264.

10 Blackett, A. Everyday Transgressions: Domestic Workers' Transnational Challenge to International Labor Law (New York: Cornell University Press, 2019), 49.

## 3 The Same Rights to All Domestic Workers

Informality was initially viewed as an issue arising from the limited scope of existing legislation. The Special Domestic Work Regime of Argentina[11] established in 1956—the sole regulation for domestic work until 1999—made the number of daily hours and working days per week crucial to formalization. The only workers who could be formalized under that regime were those who resided in the employer's household or performed activities in the same household at least four hours a day, four days per week. Thus, domestic workers working 16 weekly hours but only two or three days per week were not covert by this special regime. This rigorous requirement left many domestic workers outside the scope of the law and gave employers the leeway to hire a domestic worker informally.

The Special Labor Regime of 1956 was the first specific legal framework for the sector as a whole, and it was highly restrictive in comparison to the general labor regime, which is regulated in Argentina by the Labor Employment Act.[12] Certain rights like paid vacation, sick leave, and severance pay were included in this special regime but the length and amounts applicable for domestic workers were substantially lower than what applied to employees. For example, the severance payment established for domestic workers in the 1956 Special Labor Regime was half the amount applicable under the general labor regime. These restrictions of domestic worker rights were exacerbated over time, given that this regime only applied to workers performing at least four hours of work four days a week for a single employer. While this was a standard working-time arrangement in the sixties, few households employed domestic workers for that many hours or days by the beginning of the twenty-first century due to changes in household structures and the labor market, particularly the growing number of working women. In fact, only 47.2% of domestic workers had this working-time arrangement in 2005. Half of all workers with a single employer worked less than sixteen hours per week and the majority of workers with more than one employer did not work sixteen hours for any of them.[13]

11 Presidential Decree 326/56, 20 January 1956.

12 Law 20,744, 27 September 1974.

13 MTEySS (Ministry of Labour, Employment and Social Security). Situación laboral del servicio doméstico en Argentina (Buenos Aires: MTEySS, Secretaría de Programación Técnica y Estudios Laborales, 2006).

In order to cover a larger share of domestic work, a social security regime[14] specific to domestic workers was created in 1999. Starting then, all domestic workers performing at least six hours of work per week for a single employer could be registered. However, the 1956 Special Labor Regime was not repealed: instead, both regimes coexisted, generating inequalities among domestic workers. Those working less than four hours a day, four days a week for the same employer were excluded from the 1956 Special Labor Regime, and thus deprived of labor rights. While the 1999 social security regime for domestic workers provides access to health insurance and pensions for anyone from the sector working at least six hours per week for a single employer, the regime mimics the structure of the 1956 Special Labor Regime. In other words, the model structuring the scheme is a full-time job and in the case of domestic work, the working-time social norm for a full-time position is at least 16 weekly hours for a single employer.

When a domestic worker holds a full-time job, the employer's social security contributions covers the total amount, thus giving her access to social benefits. When workers do fewer hours, they need to supplement the amount paid by the employer to gain access to benefits. The social security regime for domestic workers explicitly states that the worker's contributions are 'voluntary.' However, in order to access social security benefits, domestic workers must pay the difference between the basic contribution established by law and the amount their employer pays (based on the working-time arrangement). When a domestic worker does a few hours of work for different employers, the contributions of all her employers are combined. Thus, the amount of 'voluntary' contributions that a domestic worker needs to pay depends on the number of employers she has and the number of hours she works for each one of them.[15] Nevertheless, because these employers are more likely to hire informally, the access to social security benefits for domestic workers who work fewer hours for various employers depends on whether they are able to afford the supplementary contributions.

Although the new social security regime created a gap between a group more likely to be protected and a group less likely to be so, once it had been introduced in 1999, 90.6% of domestic workers qualified for formal employment under one of the two regimes (MTEySS 2006). With the aim of integrating the

14 Law 25,239, 31 December 1999.

15 Poblete, L. "Empleo y protecciones sociales, ¿dos caras de la misma moneda? Reflexiones en torno a la regulación del servicio doméstico en Argentina." Revista Latinoamericana de Derecho Social 22 (2016), 203–239.

remaining 9.4%, an executive order[16] signed in 2004 established that all domestic workers performing less than six hours of work per week for one or more employers could enroll under the Single Taxpayer Regime,[17] which had been conceived for low-income self-employed workers. Since domestic workers in this situation are considered independent service providers, they are responsible for making their own social contributions and paying their own taxes.[18] However, it seemed unlikely that many domestic workers would enroll in this system because those working just a few hours for several employers rarely end up working full days; therefore, they earn considerably less, and are unlikely to prioritize the payment of social contributions over more basic needs. In addition, hourly domestic work generates unsteady income, since the households where such domestic workers are employed often require them to adapt their working hours to the family's changing needs. Despite the full gamut of enrollment options, only seven percent of domestic workers were in fact legally registered as formal domestic workers in 2005. Later, in 2012, sixteen percent were formal workers.

Notwithstanding the significant drop in informality during the first decade of the twenty-first century, it has remained persistently high. Influenced by the international movement for domestic workers rights and the discussions held at the International Labor Conference in Geneva, in 2010, legislators started to work on a bill that would successfully formalize domestic work. Passed in 2013, the new law[19] was a milestone in domestic work legislation, as it granted labor and social rights to all domestic workers providing at least one hour of service a week. Here, the border wall between the different working-time arrangements disappeared. All domestic workers were now entitled to daily and weekly rest, a trial period, severance pay, overtime compensation, and annual mandatory bonus, as well as paid holidays, sick leave, and maternity leave similar to those guaranteed under the general labor regime.

The 2013 law improved legislation for the sector by, first, repealing the restrictive regime in force since 1956 and, second, by enabling all domestic workers to be included in the 1999 special social security system. Because Argentina was in the process of ratifying the ILO's Domestic Workers Convention, it was explicitly stated during the legislative sessions that one of the aims of the law

16 Presidential Decree 804/04, June 23, 2004.

17 Law 24,977, 6 July 1998.

18 For a detailed account of the Single Tax-payer system see: Poblete, L. "Vers la protection du travail informel. Le régime du monotribut en Argentine (1998–2013)." Revue Française d'Affaires Sociales 2 (2014), 120–136.

19 Law 26,844, 12 April 2013.

was to incorporate the convention's provisions. Even if the legislators opted to design a special labor regime—instead of including domestic workers in the general labor regime—the new legislation assured domestic workers the same rights as wage employees. By taking this approach, the legislators emphasized that although domestic work is a 'job like no other', domestic workers must be treated just like 'any other' worker.[20] Nevertheless, the tension between these two conceptualizations of domestic work remains in the law because the lawmakers framed the domestic work labor relation within the standard labor relationship. Thus, in their efforts to protect domestic workers, lawmakers dragged this particular labor relationship ('like no other') closer to the typical employment relationship.

Furthermore, during the congressional debates, legislators brought up personal stories in which domestic workers were expected to handle all sorts of domestic tasks and care labor, working under live-in arrangements or full-time. Highlighting the importance of domestic workers within the household, and the need to assure the regulation of this type of work, one congresswoman said: 'This is about the person who we trust with our children and our property, the person who has keys to our homes.'[21] This kind of description came up time and again during the lawmaking debate. Hence, the new law retains the distinction between a group more likely to being protected and a group of domestic workers traditionally denied labor and social protections. Most of the provisions, such as working-time, overtime, weekly rest and paid holidays, target full-time workers. There are no specific provisions for hourly workers.

The exclusion of hourly domestic workers is evident in the way social protections were designed and then included in 2013 law. On the one hand, the new law simply made minor adjustments to the social security regime already in force since 2000. It did introduce certain amendments aimed at including domestic workers who were registered as wage earners prior to 2013 by virtue of the 1956 Special Labor Regime, as well as those registered as self-employed. On the other hand, protections against occupational hazards—included for the first time in domestic work legislation—were also tailored to fit the standard full-time position.

When the Special Social Security Regime for Domestic Workers was created at the end of 1999, it represented a significant change for many domestic

20 Blackett, A. "Making domestic work visible: the case for specific regulation" Labour Law and Labour Relations Programme, Working Paper #2 (Geneva, International Labour Office, 1998).

21 Record of Proceedings, Argentine Senate, 21th Session, 28 November 2012.

workers who had previously been excluded from any social protections. As one legislator pointed out:

> In general, I think that this system will improve the sector, where the work of approximately one million is characterized by a high degree of informality, meaning they currently do not receive any type of social security benefits.
>
> Without a doubt, the success of this new special regime will depend on the administrative mechanisms designed by the National Tax Agency to simplify both worker enrollment and the payments the worker herself needs to make.[22]

Based on the model of the Single-Taxpayer Regime—a fiscal/social security system for low-income self-employed workers enacted in 1998, the 1999 social security regime for domestic workers simplified enrollment and the payment of contributions. Over time, and with the help of IT, employers became increasingly savvier at handling paperwork online. At the beginning, they could enroll a domestic worker by calling a hotline; then, on home banking websites; and now, on an app that notifies users of upcoming deadlines and changes in the amount of the contribution they must make. As noted by the legislator cited above, the key issue was to design mechanisms that would facilitate formalization.

Between 2010 and 2013, when Congress debated the new law, the same question appeared many times. While expanding social benefits was unquestionable, lawmakers were particularly focused on adequate implementation, despite the fact that this task fell to the National Tax Agency and the Social Security Agency. While the National Tax Agency has the power to establish the amounts of contributions, social benefits depend on the Social Security Agency. As a congresswoman noted in the final session, mechanisms for implementation were crucial:

> Look what happens today: when a worker who contributes to the domestic work regime wants to retire, the Social Security Agency does not treat her the same as other workers. First, the agency goes to the neighborhood to corroborate that she really worked there, asking for details about the house where she worked, etc. In other words, the Social Security Agency contributes to discrimination against domestic workers, because its work

22 Record of Proceedings, Argentine Senate, 71th Session, 28 December 1999.

> is based on the idea that a certain percentage of those filing for social security are committing fraud. The agency thus doubts a group of workers who make their contributions and want to participate in the system. The advance that was achieved back in 1999 in the retirement regime was an important one; but it is equally important for the state to introduce mechanisms so that this regime can be applied.[23]

During the congressional debates, the regime itself was never evaluated or criticized using empirical data. Some legislators commented that the lion's share of domestic workers were hired on an hourly basis, but no one brought up the relationship between this working-time arrangement and the access to social security benefits. For lawmakers, the big innovation was to expand the scope of the law, including domestic workers working just a few hours per week. Hence, they neglected to incorporate any amendments to the 1999 social security regime before incorporated it in the 2013 law.

Furthermore, the implementation of that system produced an important divide between domestic workers. For those working at least 16 weekly hours for one employer, the employer's contribution covers the full amount necessary to access social benefits.[24] In the case of domestic workers who work between 12 and 15 hours per week, the contribution of each employer—if they have more than one—represents 33% of the total needed. Thus, for these domestic workers to access social security benefits, they either need to be formally employed by three employers or make voluntary contributions. For those who work less than 12 hours per week, the employer's contribution represents only 19%. Consequently, to access social security, these workers must have more than five employers who registered them, or make 'voluntary' contributions. Thinking in terms of working-time, in the first case, a domestic worker could gain access to social security working just 16 weekly hours for a single employer; in the second, she needs to work between 36 and 45 weekly hours for three employers in order to avoid voluntary contributions; and, in the third case, the number of hours could reach up to 60 weekly hours in order for employer contributions to almost cover her social security.

The maintaining of a social security system which produce this stark inequality in access to social security benefits can only be explained by the fact that lawmakers did not consider the second and third cases to be as common

23 Record of Proceedings, Argentine Chamber of Deputies, 1th Session, 13 March 2013.

24 Poblete, L. "New Rights, Old Protections: the New Regulation for Domestic Workers in Argentina." Labour Law & Development Research Laboratory, McGill University, Working Papers Series #5 (2015).

TABLE 11.2 Employers' contributions to social security system by working time arrangements (April 2020)

| Working time arrangements/ number of employers | Employer's contribution/ % of total contribution | voluntary contribution/ % of total contribution | Weekly worked hours to access to social benefits |
|---|---|---|---|
| More than 16 hours/ 1 employer | 100% | 0% | At least 16 hours |
| Between 12 and 16 hours/ 1 employer | 33% | 67% | From 12 to 16 |
| Between 12 and 16 hours/ 3 employers | 99% | 1% | From 36 to 45 |
| Less than 12 hours/ 1 employer | 19% | 81% | From 1 to 12 |
| Less than 12 hours/ 5 employers | 95% | 5% | At least 60 hours |

as they are: around 44% of all domestic workers fall in one of these two categories. Thus, almost half of all domestic workers remains invisible to lawmakers. Focusing on the standard labor relationship model, the only protected position for domestic workers within the new law was, yet again, full-time work.

Something similar occurred with protections against occupational hazards. During the congressional debate, many lawmakers highlighted the importance of employers paying occupational hazard insurance for workers because of the myriad risks they face at work and during their commute. Nevertheless, legislators also considered how convenient this coverage was for employers. As one legislator commented:

> Sometimes, I wonder how they [the employers] can have a person employed in their house and be sure that they don't have an accident during the commute. Because in that case, the employer could be prosecuted, and even lose their house or apartment. Beyond that, though, from a human rights perspective, how can that person not be formalized and have no protection against work hazards?[25]

25 Record of Proceedings, Argentine Senate, 21th Session, 28 November 2012.

Because the 2013 law included domestic workers in the same occupational hazard regime[26] established for private sector employees, the logic behind it is based on the standard labor employment relationship in which employees are covered by their employers' insurance policies. The occupational hazard regime requires the employer to take out an insurance policy with a private insurance company. Consequently, for domestic workers with more than one employer, each can take out a policy with a different company. Due to the fact that the monthly amount paid by employers who hire a domestic worker for less than 12 hours is quite low, and because the law does not allow employer contributions to be combined, companies reduce the benefits to an absolute minimum. Furthermore, as a state official explained, when an accident occurs during a trip between households, neither insurance company wants to cover the incident. For that reason, even under formal arrangements, hourly domestic workers frequently do not receive these benefits.

In summary, in the intent to formalize a kind of work overwhelmingly performed informally, Argentine legislations has gradually amended the very definition of domestic worker over the past two decades. In 1956, the common form of domestic work—full-time or live-in work—defined this category in legal terms, but by the turn of the century, very few domestic workers had such arrangements with their employers. For that reason, the 1999 social security regime considered a domestic worker to be any person working in a household at least six hours a week for a single employer. Later, in 2013, legislators acknowledged the myriad working-time arrangements and the rise in hourly work in the sector, resulting in a law that did not set a minimum number of working hours to entitle workers to labor and social security rights. At that point, a domestic worker was defined as any person cleaning or providing personal care in a household, regardless of how many hours she worked. Thus, the law has covered all domestic workers ever since. However, as with ILO Convention 189, the legislation focuses on domestic workers who perform this type of work on an 'occupational basis.' Therefore, the underpinning for all institutional responses was the model of the standard labor relationship. Legal provisions mainly cover domestic workers working at least 16 weekly hours, while the 44% working on an hourly basis do not enjoy the same rights.

## 4 Challenges in the Implementation of the Law

Once legislation was expanded to cover all domestic workers regardless of the number of hours they worked, informality was—from the state's point of

26 Law 24,557, 13 September 1995.

view—attributed solely to lax enforcement. Given that the workplace is someone's home, it is difficult to ensure compliance with the law. The state does not have the legal or institutional capacity to carry out household inspections.[27] First of all, the inviolability of the home prohibits the state from inspecting people's houses;[28] second, the state also lacks the institutional capacity, i.e. a special team of labor inspectors, that such visits would require. Thus, to increase compliance with the law, the National Tax Agency developed one enabling and deterring strategies targeting high-income employers (or, as shall be seen, presumed employers).[29]

First, with the aim of removing the barriers to formalization, the National Tax Agency introduced tax incentives to enable enrollment, establishing an income tax deduction of social contributions and domestic worker wages for employers. Since the beginning, this measure has proven highly effective and for this reason, the tax incentives have remained in force. During the first year, formal employment in the sector almost tripled, soaring from 52,150 domestic workers enrolled in 2004 to 142,200 in 2006.[30] This measure represents the main incentive for employers to formalize the domestic work relationship. Although it was criticized during the 2013 law debate, it remains intact in the new legislation. In 2011, one lawmaker questioned that:

> Those who hire this type of worker are usually middle-class families. These families, in which two people work, hire a person to do household chores or to take care of their children. Under the current system, only those who earn an income high enough to pay personal income tax can make tax deductions when formally employing a domestic worker. For those who earn less, we would then have to analyze the possibility of a similar benefit.[31]

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27 Vega Ruiz, M.L. "L'administration et l'inspection du travail dans le domaine du travail domestique: les expériences de l'Amérique latine." Canadian Journal of Women and the Law 23 (2011), 341–358.

28 See: Loyo, M. G., and M. D. Velásquez. "Aspectos jurídicos y económicos del trabajo doméstico remunerado en América Latina." In Trabajo doméstico. Un largo camino hacia el trabajo decente, eds. M.E. Valenzuela, and C. Mora (Santiago de Chile: OIT, 2009), 21–70; Rodgers, J. "Cambios en el servicio doméstico en América Latina." In Trabajo doméstico. Un largo camino hacia el trabajo decente, eds. Valenzuela, and C. Mora (Santiago de Chile: OIT, 2009), 71–113.

29 International Labour Office (ILO). Formalizing Domestic Work (Geneva: ILO, 2016).

30 Salim, J., and W. D'angela Evolución de los Regímenes Simplificados para Pequeños Contribuyentes en la República Argentina (Buenos Aires: AFIP, 2006).

31 Record of Proceedings, Argentine Senate, 5th Session, 4 May 2011.

Thus, this measure creates a disparity between lower/middle and upper-class families, given that the state indirectly covers the contributions to the social security system and even part of the wages of the domestic workers working for high income employers. In addition, it creates a divide between domestic workers working full-time and domestic workers hired by the hour, because upper-middle and upper-class families are more likely to hire a full-time worker. Thus, these workers are more likely to be formalized than hourly workers because their employers have important incentives to enroll them.

Second, a compulsory enrollment system was introduced for domestic workers presumed to be working informally (thus a deterring strategy) in households with certain characteristics. This "ex officio formalization" was referred to as "presumption of domestic worker." Established in 2013, the Minimum Domestic Work Indicator drew on legislation covering social security fraud from 1970 (and its 2004 amendment), establishing a formula for estimating the social security debts of employers in the textile industry and construction sector. In its initial version, the indicator was based either on gross annual income or on the taxpayer's declared personal assets (especially real estate). The National Tax Agency established that:

> The possession of certain assets such as private aircraft, high-end automobiles, sports boats or recreational vessels, or properties, among others; or a particular income level creates a presumption that the person who owns such assets requires personal services by someone working in an employment relationship, and that [said work] indirectly contributes to obtaining or maintaining such goods.[32]

In the first week, numerous critics came out against the measure because the use of one of the two criteria—either annual income or properties—often meant that middle class households which in the past had the possibility to buy a house but do not have high incomes in the present—such as pensioners—would fall into the category of 'presumed' employers. Thus, the National Tax Agency made an amendment establishing that both criteria were required for the presumption. Hence, in cases in which a taxpayer's gross annual income and property value exceeded the minimum established by the indicator, it was presumed that a domestic worker who had not been declared was working in the household. In these cases, the National Tax Agency would send a notice to the taxpayers, giving them 60 days to formalize the presumed employee. If the

32 National Tax Agency, Resolution 3,492, 30 April 2013.

taxpayer did not enroll a domestic worker by the deadline, the National Tax Agency would proceed to collect the social security contributions corresponding to a full-time domestic worker. The taxpayers who had not hired a domestic worker, or whose domestic worker had been hired by his/her partner, had to present evidence to the National Tax Agency to avoid a fine, or even legal proceedings. At that time, the state did not send labor inspectors to these taxpayers' home because it was assumed that there was nothing to inspect. This measure was built on the idiosyncratic way domestic work has been structured in Argentina. For middle and upper-class families, having someone perform all domestic tasks and care work is the cultural norm. Though controversial, the 'presumption of domestic work' was initially very effective. However, when in 2016 the Executive decided that this indicator did not suffice to presume an informal domestic worker was in fact working in the domicile, the measure was repealed.[33]

Finally, in 2018, the third strategy used by the National Tax Agency to formalize domestic workers included a classic tool: labor inspection.[34] The state is not allowed to enter the employer's house to inspect whether a domestic worker is present or the working conditions due to the fact that the 2013 law included no such provision. Therefore, the National Tax Agency came up with a novel approach: an environmental inspection. Thus, it sent labor inspectors to the entrance of thirty gated neighborhoods in the richest Buenos Aires suburbs and eleven luxury buildings in Puerto Madero, one of the wealthiest neighbors of Buenos Aires.[35] The inspection revealed that among the 1,051 domestic workers interviewed, 432 were working informally.[36] On that occasion, their employers received a notification and brochures informing them about the formalization procedure, but no one was fined.

In summary, with the aim of formalizing the majority of domestic workers, the National Tax Agency developed innovative strategies using classic tools like tax incentives and labor inspections. Additionally, based on previous regulations concerning social security debts, the agency created the 'presumption of domestic work,' an innovative way to force employers to formalize domestic workers. While tax incentives are a common strategy to ensure employer compliance with social security law in all labor sectors, the 'presumption

33 National Tax Agency, Resolution 3828/16, February 19, 2016.

34 Labor inspections fall within the jurisdiction of the Ministry of Labor, though fieldwork is coordinated by the National Tax Agency.

35 In Latin America, the middle and upper classes often live in gated neighbourhood or buildings with private security.

36 National Tax Agency – press release, 12 June 2018.

of domestic work' and the environmental inspection were two innovative mechanisms that indirectly targeted the employers. In fact, all three strategies focused on a specific kind of employer: those earning the highest income. Consequently, these strategies contributed to the formalization of full-time domestic workers. Because hourly domestic workers are hired by lower middle-class households or working-class families, these measures did not apply to them. When addressing the domestic work sector, then, the institutional response was clearly biased. Although the state made innovative use of classic tools for enforcing labor and social security rights, it was unable to circumvent the standard employment relationship model. Thus, to attain formalization, domestic work had to be as similar as possible to the typical employment relationship.

## 5 The Opacity of Labor Justice

The 2013 law includes a provision on the conditions for dismissal and makes severance pay mandatory in the case of unjustified dismissals. The type of compensation to which a domestic worker is entitled depends on how long she has been at the job, just as it would be under the general labor regime. Under the 1956 Special Labor Regime, severance payment for domestic workers was half of that guaranteed to private sector employees. Thus, labor conflicts changed substantially when domestic workers were guaranteed the same severance pay as other workers. Because attorney fees are a percentage of the severance amount, the number of cases filed with Domestic Work Tribunal spiked when the 2013 law went into effect.

The Domestic Work Tribunal was founded in 1956 to resolve labor conflict in the city of Buenos Aires. Part of the Ministry of Labor, this specific administrative jurisdiction unique to the domestic work sector was based on the model of other administrative jurisdictions entrusted with resolving individual employee-employer conflicts. This dispute resolution mechanism represents the standard approach to labor conflicts in Argentina. It functions like a first instance court, and parties can appeal its sentences at the Labor Court.

The administrative tribunal for domestic workers at Buenos Aires includes three types of labor dispute resolution mechanisms: binding arbitration, mandatory mediation, and voluntary agreements. Binding arbitration is a legal process which starts with the domestic worker complaint and ends with the tribunal's ruling. During this process, the parties have to prove their allegations, present proofs, and call witnesses. Generally, domestic workers must demonstrate that they were dismissed unfairly, while employers try to show

that the employee quit. Severance pay depends on who is deemed responsible for the end to the employment relationship. The expected length of the arbitration process is five years or more. Considering that the party who loses can appeal to Labor Court, the process could last for up to two more years.

The second type of labor dispute resolution mechanism is mandatory mediation. After the legal claim is filed with the Domestic Work Tribunal (and before the binding arbitration process can start), the two parties are summoned to a mediation. The idea is that parties may be able to reach an agreement on a certain amount without the need to produce evidence and/or witnesses. If mediation fails, the binding arbitration process starts, as described above. If the mediation is successful, the parties sign a conciliation agreement.

The third mechanism for labor dispute resolution available at the Domestic Work Tribunal is referred to as 'voluntary agreement.' Both parties—accompanied by their lawyers—must provide a written agreement detailing the duration of the labor relationship, the reason it ended, the wages paid, and what seems a reasonable amount for the severance pay in each party's opinion. Any voluntary agreement must be approved by the Domestic Work Tribunal before it becomes binding. As an internal rule, the tribunal established that it will only approve voluntary agreements acknowledging 70% of the total amount the domestic worker is owed based on her claim. No element of evidence is involved in this mechanism. During the proceedings, the court officers merely verify that the amount proposed as compensation covers 70% of the legal claim. No social security enrollment or paycheck stubs need be presented. This mechanism is mostly used in cases involving elderly care work in which the cause of termination is the employer's death.

Domestic workers prefer agreements instead of arbitration for three main reasons. First, although most rulings are in their favor, the wait is often difficult to manage considering that all labor disputes take place after the labor contract has been terminated. As domestic workers do not qualify for unemployment benefits, severance pay is crucial for the period in which they are looking for another job. Second, agreements are easier than arbitration for the Domestic Work Tribunal to enforce. In order for an agreement to be sealed, employers must pay the amount established in the agreement in full. Once that occurs, the domestic worker cannot present any further claim or initiate other legal proceedings against the employer. Third, it is sometimes difficult for domestic workers to demonstrate the existence of the labor relationship because they do not have credible witnesses or, in some cases, any witness at all. In that case, because the outcome of the arbitration is uncertain, lawyers often advise them to sign an agreement instead of continuing with the arbitration process.

Employers also prefer agreements to arbitration though in their case, the motive is principally monetary. In order for the Domestic Work Tribunal to approve an agreement, employer must pay at least 70% of the amount detailed in the claim. However, this percentage does not include extras that need to be proved such as additional hours, or the fine for employers who hired domestic workers informally. Because the voluntary agreements are signed before the formal procedure starts, and because most conciliation agreements are signed before the disputing parties present their evidence, the Domestic Work Tribunal does not have the facts to establish whether the domestic worker actually performed the additional hours as claimed or whether the labor relationship was formal or informal. For that reason, the fine for not enrolling domestic workers does not apply to settlements. In the arbitration process, if the labor relationship is proven to be informal, the severance pay could be doubled. Thus, both parties involved in the labor dispute have an equally vested interested in signing an agreement and avoiding arbitration.

In the past five years, most of the claims filed with the tribunal correspond to long-term, full-time labor relationships.[37] Two factors prevent hourly domestic workers from engaging in legal claims: first, the need to hire an attorney, and second, the burden of proof with regards to the employment relationship. These two requirements overlap, keeping domestic workers who work only a few hours for various employers from accessing justice.

Due to the fact that the Domestic Work Tribunal requires that domestic workers have an attorney, domestic workers must find one willing to take their case. Although the domestic workers union provides some legal assistance, most have to find a private attorney who is generally motivated by profits when deciding what clients to take. Since attorney fees represent 20% of the agreement reached, and agreements are based on domestic worker wages, those who have low wages—like hourly workers—often find it challenging to convince a lawyer to take their case. Moreover, these cases are often challenging for attorneys because it is difficult to find reliable witnesses.

At the Domestic Work Tribunal, the only irrevocable proof of an employment relationship is a witness deposition. While different documents—paycheck stubs, the certificate of enrollment in the social security system, and records of monthly social security payments, all of which are registered in the National Tax Agency and Social Security Agency data bases—are accepted as

37 In a database of 1,053 rulings of the Domestic Work Tribunal from 2015 to 2018, 87% of cases correspond to full-time labor relationships. Even considering that almost half of these cases were presented before 2013—when the 1956 Special Labor Regime was still in effect for the sector—the majority of claims were presented by full-time domestic workers.

evidence, witness testimonies provide more tangible proof because the documents need to be validated by these state agencies. Normally, they take years to respond to official requests for verification. Therefore, the tribunal has to focus on witness deposition, the only immediately available proof.

When the conflicting parties begin the mandatory mediation process, witnesses are key to negotiating the amount the parties will agree to. Although parties do not need to prove anything during this stage, the one with evidence and witnesses to back his/her claims is in better position to negotiate. As this exchange during a mandatory mediation reveals, the outcome depends on the list of credible witnesses.

> Mediator – Now, the employer has upped his offer which, as your lawyer said, covers your entire claim and more. But this is your decision. We are at the point where the other party still hasn't proven anything yet. But still, it is not a bad number because it covers what you were seeking.
>
> Lawyer – Well, it's up to you. Do you want to settle?
>
> Domestic worker – No, I don't want that settlement.
>
> Lawyer – They will not be able to offer you more.
>
> Domestic worker – But still, I don't want that settlement.
>
> Mediator – If you continue with the legal proceedings, you will have to prove everything you said. The court could reach a decision that benefits you completely or partially, but it could also rule in favor of your employer if you are unable to prove everything you said. The process takes almost five years, and the problem is whether the witnesses will be around and available that long. Were there witnesses who saw you working at the house?
>
> Domestic worker – There are the neighbors, and a taxi driver who drove me when my boss wanted me there at seven in the morning.
>
> Mediator – So the thing is, they cannot testify that you worked at the house, or when you worked, and what tasks you performed. Because they never went into the employer's house, so they didn't see anything.
>
> Lawyer – If your employer realizes that the two witnesses you have will not allow you to establish that you in fact worked there … I believe what you said, I believe you, but the court bases its decision on what can be proved.

Thus, the legal procedure established by the Domestic Work Tribunal follows the standard procedure for labor conflicts. Based on the industrial workplace model in which a single workplace for two or more workers guaranteed the visibility of the employment relationship, the tribunal requires witnesses.

Although they are key for the legal procedure, the perfect witness is almost impossible to find. Because domestic work is performed in the private sphere, it is rare to find a witness who actually saw the domestic worker working in the house. Likewise, if there are such witnesses (another domestic worker, the doorman or the superintendent), due to the relations between these possible witnesses and the employer, it is unlikely that they will testify on her behalf.

Unable to alter the legal proceedings, which are based on the Procedural Justice Act, but conscious that they are not quite adapted to domestic work, state agents make some concessions in the way the law is actually implemented. Thus, someone who saw the domestic worker perform duties outside the home—such as grocery shopping—could become a credible witness. This slight modification moves the burden of proof from the intimate sphere of the household to the public space. Hence, domestic workers can expand the universe of possible witnesses. However, for domestic workers working just a few hours, witnesses of this kind are rare, as they have fewer opportunities to get to know salespeople or neighbors in their employer's neighborhood. Thus, even if they overcome the hurdle of getting a lawyer willing to represent them, the structure of the proceedings often prevents justice from being done.

## 6 Conclusion

Domestic work has been a recurring item on the formalization agenda since 1990. Because domestic workers are mostly hired informally, the state focused on innovative mechanisms to achieve formalization. The limited scope of legislation and lax enforcement were faulted for the high levels of informality and as a result, state policies focused on these two issues. In the mid-aughts, as part of an international movement to expand domestic worker rights that resonated strongly in Argentina,[38] the state worked to reform legislation and improve various enforcement mechanisms. The process of expanding the scope of legislation lasted from 1999 to 2013; the corresponding administrative regulations to assure enforcement were introduced in 2005 and intensified after the passage of the 2013 law. At that moment, domestic workers gained visibility, moving from the obscurity of the employer's home to the public arena via media interventions, street protests, and involvement in the lawmaking process.

38 Poblete, L. "The ILO Domestic Workers Convention and regulatory reforms in Argentina, Chile and Paraguay. A comparative study of working time and remuneration regulations." *International Labour Review* 157 (2018), 435–459.

The incorporation of domestic work to the ILO Decent Work Agenda drove changes on the way domestic work is regulated around the world. Leaving aside the normative approach, the Decent Work framework highlighted the importance of the idiosyncrasies inherent to paid domestic work in Argentina. When the first article of ILO Convention 189 defined domestic work as 'work performed in or for a household or households,' under 'an employment relationship,' on 'an occupational basis,' it opened the door to different local interpretations.

An analysis of the institutional transformations over the past twenty years reveals the numerous changes and innovative strategies incorporated in legislation and enforcement mechanisms. Nonetheless, it also highlights how the commonplace idea of what constitutes a 'good job'–translated like 'decent work'– conditions domestic workers' access to labor and social security rights. The path dependence of existing institutions circumscribes the possibilities for regulatory innovation.

In Argentina, the formalization of domestic work—meaning at the local level, to guarantee domestic worker access to labor and social rights—led the state to try to adapt the domestic work employment relationship to the standard labor relationship. Because domestic work is a 'job like no other,' different measures that take into account the specificities of paid domestic work were integrated into legislation and enforcement mechanisms. However, at the same time, using the available institutional tools, the state aimed to fit domestic work into the standard labor relationship model. From the state's perspective, due to the fact that the standard labor relationship is the key to access to labor and social protections, the expansion of domestic worker rights depended on adapting existing institutions to domestic work, though always within the institutional pattern of the classic employment relationship.

Thus, in terms of social benefits, the state based its domestic worker policies on two different social security regimes already in place, and on the occupational hazard insurance model for employees. The 1999 Social Security System for Domestic Workers represents a mix between the regime for employees, and the low-income self-employed worker regime created in 1998. The resulting logic of combining the social contributions of employer(s) and domestic worker in order for her to access social security produced a fragmented regime in which one group of domestic workers (full-time workers) receives more protection than another group (hourly workers). In the case of the occupational hazard insurance, the existing structure of insurances policies was applied to domestic workers, without any adjustment. Only formally, the 2013 law modified the Occupational Hazards Act by adding domestic workers to the list of laborers protected by that legislation.

In terms of enforcement—direct enforcement or administrative jurisdictions—the state also drew on existing institutions and legislation. While tax incentives, the presumption of domestic work, and the environmental inspections represent innovative measures, they exclusively target high-income employers who are more likely to hire a domestic worker in a long-term full-time employment relationship. Thus, employers such as these are much closer to the standard employer matrix. The same occurs with the legal procedure for resolving labor disputes. Although the Domestic Work Tribunal is a special administrative jurisdiction to resolve conflicts within the domestic work sector, the same legal procedure applies to the individual labor conflicts of all employees. Consequently, the standard labor relationship is also the benchmark for enforcement and labor dispute resolution.

The underpinning of these policies is that formalization is critical in order for domestic work to cease to be precarious, and in that regard, it is necessary to make it as similar as possible to the employment relationship. Even though domestic work is recognized as 'a job like no other,' the state based its new policies on existing institutions originally created to protect the employees. Thus, despite significant innovations, the standard employment relationship model shapes domestic work regulation.

The main consequence is that the institutional arrangements put into effect over the last two decades to formalize domestic work seem ineffective in terms of protecting hourly domestic workers. Although hourly work represents 44% of all domestic work, these laborers remain invisible to the state and to state agents entrusted with amending legislation and establishing new enforcement mechanisms. As a result, the domestic work sector is extremely fragmented and unequally protected.

## References

Blackett, A. "Making domestic work visible: the case for specific regulation" Labour Law and Labour Relations Programme, Working Paper #2 (Geneva, International Labour Office, 1998).

Blackett, A. Everyday Transgressions: Domestic Workers' Transnational Challenge to International Labor Law (New York: Cornell University Press, 2019).

Davidov, G. "Enforcement problems in 'informal' labor markets: a view from Israel." *Comparative Labor Law and Policy Journal* 27 (2005), 3–26.

Gorbán, D., and A. Tizziani. ¿Cada una en su lugar? Trabajo, género y clase en el servicio doméstico (Buenos Aires: Editorial Biblos, 2018).

International Labour Office (ILO). Formalizing Domestic Work (Geneva: ILO, 2016).

Kuznesof, E. "Historia del servicio doméstico en la América hispana (1492–1980)." In Muchacha, cachifa, criada, empleada, empregadinha, sirvienta y…nada más: Trabajadoras del hogar en América Latina y el Caribe, eds. E. Chaney, and M. Garcia Castro (Caracas: Nueva Sociedad, 1993), 25–40.

Lautier, B., and B. Destremau. "Introduction: Femmes en domesticité. Les domestiques du Sud, au Nord et au Sud." *Revue Tiers Monde* 170 (2002), 249–264.

Loyo, M. G., and M. D. Velásquez. "Aspectos jurídicos y económicos del trabajo doméstico remunerado en América Latina." In Trabajo doméstico. Un largo camino hacia el trabajo decente, eds. M.E. Valenzuela, and C. Mora (Santiago de Chile: OIT, 2009), 21–70.

MTEySS (Ministry of Labour, Employment and Social Security). Situación laboral del servicio doméstico en Argentina (Buenos Aires: MTEySS, Secretaría de Programación Técnica y Estudios Laborales, 2006).

Pereyra, F. "Trabajadoras domésticas y protección social en Argentina: avances y desafíos pendientes." Serie Documento de Trabajo #15. (Buenos Aires: OIT, 2017).

Poblete, L. "Empleo y protecciones sociales, ¿dos caras de la misma moneda? Reflexiones en torno a la regulación del servicio doméstico en Argentina." *Revista Latinoamericana de Derecho Social* 22 (2016), 203–239.

Poblete, L. "New Rights, Old Protections: the New Regulation for Domestic Workers in Argentina." Labour Law & Development Research Laboratory, McGill University, Working Papers Series #5 (2015).

Poblete, L. "The Different Meanings of Formalisation. Experiments from the South: The Case of Argentina." In D. Ashiagbor, ed., Re-Imagining Labour Law for Development: Informal Work in the Global North and South (London: HART PUBLISHING, 2019), 167–189.

Poblete, L. "The ILO Domestic Workers Convention and regulatory reforms in Argentina, Chile and Paraguay. A comparative study of working time and remuneration regulations." *International Labour Review* 157 (2018), 435–459.

Poblete, L. "Vers la protection du travail informel. Le régime du monotribut en Argentine (1998–2013)." *Revue Française d'Affaires Sociales* 2 (2014), 120–136.

Rodgers, J. "Cambios en el servicio doméstico en América Latina." In Trabajo doméstico. Un largo camino hacia el trabajo decente, eds. Valenzuela, and C. Mora (Santiago de Chile: OIT, 2009), 71–113.

Salim, J., and W. D'angela Evolución de los Regímenes Simplificados para Pequeños Contribuyentes en la República Argentina (Buenos Aires: AFIP, 2006).

Valenzuela, M.E., and C. Mora, eds. Trabajo doméstico. Un largo camino hacia el trabajo decente (Santiago de Chile: OIT, 2009).

Vega Ruiz, M.L. "L'administration et l'inspection du travail dans le domaine du travail domestique: les expériences de l'Amérique latine." *Canadian Journal of Women and the Law* 23 (2011), 341–358.

CHAPTER 12

# Precarious Labour, Migration and Collective Politics in the Garment Industry in Buenos Aires, Argentina

*Dolores Señorans*

## 1 Introduction

Over the past decades, precarious labour has been the object of growing public and academic interest. Neoliberal globalisation, changes in capital/labour relations, and the decline of welfare state provisions have changed the lives and work experiences of millions worldwide. In Europe and the United States since the early 2000s, the notion of *precarity* was mobilised as a political category by social movements - Euro Mayday, Occupy, Nuit debout and 15M - that denounced increasingly flexible and unprotected work conditions (Neilson and Rossiter 2008). In the academic conversations that followed these events, Guy Standing's book *The Precariat: The New Dangerous Class* (2011) has undoubtedly been a key reference. Standing characterised the 'precariat' as a new 'class-in-the-making' to the extent that the lack of a common identity as workers hindered its political organisation making it 'opportunist' and 'dangerous'. Standing's book sparked an intense debate. Scholars highlighted that the notion captured the experiences of workers in advanced capitalist societies in the "Global North" but that, when seen from the South, precarious labour was certainly not a novelty (Denning 2010; Munck 2013b; Breman 2013). In fact, since the late 1960s, profuse literature had depicted and sought to explain the lives of those populations who made a living in the margins of employment through notions such as 'marginality', 'informal economy' or 'surplus populations' (Lomnitz 1977; Nun 1969; Quijano 1977; Hart 1973). However, rather than pointing out the uniqueness of the South, contemporary discussions have highlighted that the status of regular wage earners has never been the norm throughout the world (Neilson and Rossiter 2008; Han 2018; Denning 2010; O' Hare 2018).

Others, in turn, have raised questions about the homogeneity of the 'precariat', moving towards more nuanced understandings that emphasise the diverse forms of labour involved in contemporary capitalism. In this respect, a focus on the experiences of undocumented migrant workers - the 'new global

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precarious worker' (Munck 2013a) - was a significant contribution to conceptualising the heterogeneity of experiences and labour relations generated by how capital produces multiple 'frontiers' (Mezzadra and Neilson 2013).[1] Silvia Federici has highlighted that the mass migration of poor women from the South to Global North countries produces a new international division of labour, in which these migrant women, who perform domestic reproductive labour, become precarious workers in the service economy (Federici 2013). While it is clear that migration constitutes a central aspect of the regulation of the labour market in contemporary globalisation, studies have also interrogated the challenges posed by the growing mobility of workers for collective labour politics. The increasing fragmentation and individualisation of the jobs available to migrant workers, resulting from capital and neoliberal policies, are key obstacles for collective action. Relatedly, authors have argued that the potential for developing organisational processes lies in the relationships and strategies built outside of the work environment (Jiang 2018) and the synergies between community organising and labour demands (Zlolniski 2019). In this respect, some argue that articulating this heterogeneous reality of labour in a collective struggle will require a form of political organisation based on a network logic distinct from that of unions or parties (Mezzadra and Neilson 2013; Neilson and Rossiter 2008). Others, in turn, assert that migrant workers' political initiatives challenge labour unions, but if incorporated into existing structures, they can be an effective source of union revitalisation and international working-class solidarity (Ness 2015; Munck 2013a).

This chapter contributes to the debate over the collective politics of precarious migrant workers through an ethnographic analysis of the experiences of garment sector workers in the *Unión de Trabajadores de la Economía Popular* (Popular Economy Workers Union, UTEP) in Buenos Aires, Argentina. This union was created by social movements to represent popular economy workers, defined as those who make a living outside wage employment. This includes recyclers, street vendors and garment workers, among others. Since its creation, the union seeks basic labour rights (retirement, social security and paid leave) for these workers, claiming that despite being excluded from social protection systems, this work contributes significantly to different supply

1 It is worth mentioning that historical debates on 'marginality' and the 'informal economy' also were related to labour migration. For the Latin American case, this scholarship addressed questions about development, the unequal effects of industrialization and the processes of urbanization due to migration from rural areas. Similarly, Keith Hart's seminal work on the Ghanaian 'informal economy' was focused on the livelihoods of migrant populations in the city.

chains. Thus, the union emphasises that popular economies are not isolated from the processes of capital accumulation, and demands a more equitable distribution of wealth. Its structure has taken up the traditional trade union organisation model in Argentina, which follows *ramas de actividad* (activity branches). UTEP has also filed a petition to be considered part of the General Confederation of Workers, alongside formal sector workers unions.

In sum, this union, defined as the "other labour movement" (Abal Medina 2017), has turned the growing heterogeneity of the working classes into a strength of collective labour politics (Fernández Álvarez 2020), bringing together workers with diverse experiences, realities and nationalities. Within this heterogeneity, the garment sector has important specificities. In the country, garment production is predominantly outsourced to medium-size sweatshops and small family sweatshops that supply both formal sector brands and informal markets. Its workforce was constituted through a process of South-South migration, as these workers arrived from neighbouring countries - mainly Bolivia, but also Paraguay or Peru. The predominant migrant composition of the sector has led some analysts to describe it as an 'ethnic economy' (Benencia 2009). In particular, Verónica Gago (2017) points out that its growth drew on what she terms 'community capital', since the recruitment of workers for this outsourced industry relied on bonds of kinship and trust among community members. For Gago, these bonds have an 'ambiguous' nature: they serve exploitation by facilitating cheap labour, but also drive self-managed community organisation. Taking this argument as a starting point for discussion, I analyse how these workers negotiated the ambivalent nature of these relationships to pursue their desires for a better life for themselves and their families, but also to foster collective labour politics by building a union that struggles for the recognition of their rights.

The analysis presented in this chapter draws on recent developments in the anthropologies of labour and capitalism that stress the socially embedded nature of labour and capital accumulation (Harvey and Krohn-Hansen 2018). Building from political economy, economic anthropology and feminist scholarship, this anthropological project interrogates the bounded domain of 'the economic', and the resulting division between market and non-market, examining the labour/capital relation through concrete experiences. From this perspective, the household, kinship and the community, often depicted as essentially 'non-capitalist' institutions, model localised capitalist dynamics and relations with particular forms of surplus extraction. Therefore, these realms cannot be understood as separated - nor radically different from - the universe of the market (Narotzky 2018; Bear et al. 2015). Additionally, as several ethnographies of the Argentine working classes have shown, kinship or

kin-like relationships and networks are central not only to concrete experiences of labour, but also to practices of activism and collective labour politics in both formal sector unions (Lazar 2017; Wolanski 2015) and popular economy activities such as street vending (Fernández Álvarez 2019). Drawing on this literature, this chapter will address the configuration of this precarious labour reality and the possibilities it opens up for creative labour politics. I intend to show that while community relationships and kinship were functional to labour exploitation in the sweatshop regime, workers also relied on these social ties to develop their own initiatives driven by notions of 'progress' and 'autonomy', and to create an innovative process of union organising. As Niko Besnier has argued, ethnography has the potential to elicit the ambiguous nature of intimacy, it can be a source of "comfort and safety, but it can equally be a source of danger, unpredictability and violence" (Besnier 2015, 109). Intimate relations, and especially kinship, are often located within a realm of social reproduction, care and trust. This chapter will address this ambivalence, examining how people navigate the entanglement of intimacy, kinship, business and politics. By doing so, these workers made sense of their circumstances while pursuing life projects individually and collectively through organisations. More broadly, this analysis seeks to unsettle dominant accounts of this industry and the sweatshops that have become its main production sites, often described as sites of slavery, which downplay the workers' agency and creativity.

The material presented in this chapter is the result of long-term ethnographic fieldwork carried out with the activists and migrant garment workers that constitute the textile branch of the union and belong to the *Movimiento de Trabajadores Excluidos* (Excluded Workers Movement), one of the organisations that founded UTEP. Ethnography is based on the production of knowledge during fieldwork through a communication relationship between the ethnographer and the people. Thus, ethnographic data should be approached as a result of this intercommunication over time, which includes not "only words but also, and among other things, affects devoid of representation" (Favret-Saada 1990, 198). For this, I will describe the relationships I built with the workers and activists I shared so many years with. I first came to know them in July 2016 while doing ethnographic research for my PhD dissertation, which focused on everyday activism within the union. After this, I continued to do postdoctoral research there, working with the organisation until today. As part of the research team *Antropología en Colabor*,[2] I became interested in collaborative research methodologies at an early stage of my research training (see Carenzo

2 *Antropología en Colabor* is a research group directed by Dr María Inés Fernández Álvarez based at the Faculty of Philosophy and Literature, University of Buenos Aires, and the

and Fernández Álvarez 2012). I sought to contribute through my work to the activities developed by the organisation. For this reason, I decided not to simply observe, and I often participated in activities and collaborated with special tasks that they proposed (such as teaching political training courses, helping with discussions or assemblies, writing reports, etc.). Throughout these years, I have accompanied workers and activists in daily activities both in the cooperatives they created as part of the union and in neighbourhood-based initiatives. I also participated in meetings, assemblies and protests, and analysed documents produced by the union and state agencies (such as public statements, flyers and public policy documents). On fewer occasions, I interviewed workers to gather particular life stories in greater detail.

My argument will unfold as follows: First, I present an account of this industry and how garment sweatshops and their workers are depicted in public and political debates. The next section addresses how three garment workers narrate their lives in the industry. These stories express that kinship, intimacy and community relationships are integral not only to how reproductive labour is appropriated by capital, but also fundamental to commodity production in the industry. The third section explores how these ambivalent relationships were negotiated to develop an innovative process of union organisation that struggled for the recognition of workers' rights and also addressed production dynamics in the newly created cooperatives. In the conclusion, I reflect on the ambivalent nature of the social and intimate relationships that 'generate' capitalism in everyday life (Bear et al. 2015) and its implications for how we reflect on precarious labour and contemporary collective labour politics.

## 2 Sweatshops in the Spotlight

On 30 March 2006, a little after 5:00 pm, a two-storey building in the neighbourhood of Caballito, City of Buenos Aires, went up in flames. The neighbours in the residential area around Luis Viale Street left their homes to try to find the source of the smoke. They soon found that it came from a sweatshop: the fragility of its electric installation created a short-circuit that lit up the first spark. The presence of highly flammable material and lack of security measures (including adequate emergency exits) made it very difficult to evacuate the building. In the fire, a young pregnant woman and 5 children lost their lives. That year, a criminal case was brought against the two foremen in

Worker's Centre for Innovation, Metropolitan University for Education and Work in Buenos Aires, Argentina.

charge of the place. Ten years later they were sentenced to 13 years in prison, found guilty of reduction to servitude and arson followed by death.[3] Though the sentence suggested that a criminal case might also be brought against the owners of the building and brand, whose products were manufactured there, this was never done. Years later, the court ruled in favour of the restitution of the building to the owners. This has been intensely contested by the survivors of the tragedy, who demand that it be expropriated and turned into a site for memory.

The "tragedy of Luis Viale" – as it is now remembered - fuelled a heated public debate on what came to be known as "clandestine" sweatshops, a reality that for most of the inhabitants of the city had been quietly hiding behind closed doors. Several studies have shown that the outsourcing of production to unregistered sweatshops was a practice with a long history. Since the 1990s, neoliberal policies that led to an increase of imported garments led local business owners to seek a reduction in their costs by externalising production to sweatshops. Though after 2003, the industry recovered a considerable volume of production and sales when the Argentine economy grew, this system continued to operate (see Ludmer 2019; Salgado 2012; Lieutier 2010; Montero Bressán 2021).

In the sweatshops, migrant people lived and worked in overcrowded and dangerous places for very little pay. 'Slavery', 'human trafficking' and 'servitude' soon became the most common ways of describing this form of labour. This work was associated with the Bolivian community in Argentina, as the majority of workers came from Bolivia. Political organisations emerged to denounce the working conditions in the industry and protect the workers through different - often contradictory - strategies (Barattini 2010; Caggiano 2014; Castronovo 2018; Montero Bressán and Arcos 2017; Señorans 2020). The most well-known of these organisations was La Alameda, whose strategy centred on reporting the brands that outsourced production and the "clandestine" sweatshops they used (Barattini 2010).

However, this tragic event had two decisive consequences for the workers in the industry: state persecution and enduring stigma. In the years that followed, there was a notorious increase in the number of sweatshops that were reported to the police, but also of police raids. Many of the workers I have come to know during fieldwork have experienced at least one violent raid since they started working in the industry. Many sweatshops were shut down and workers

3 For a detailed description of the events during the day of the fire, the work conditions in the sweatshop, the court case and the political responses to the tragedy see (Arcos 2021; Estrada Vázquez 2010)

had to rapidly turn to acquaintances to find another place to work and live. In other cases, the police or labour inspectors - or people who impersonated them - visited the workplaces regularly and asked for bribes to "drop" supposed complaints.

As is made clear through some of the life stories presented in this chapter, this increase in persecution was a decisive factor for the workers who left the sweatshops to build family initiatives in their homes. A greater dispersion and fragility of the workforce followed, as individual families set up their own workplaces. As in many other parts of the world, this is a clear example of how the State impacts processes of precarisation through forms of intervention, such as the inspection and prosecution experienced here, with often contradictory effects (Hammer and Ness 2021, 9). In 2015, a new tragedy caught the public eye once again. This time it was a family sweatshop located in Paéz street in the neighbourhood of Flores, City of Buenos Aires. Two small children lost their lives. Just as attention on the sector grew, so did the reports and court cases. In 2016, more than 1,000 locations were reported to be "clandestine sweatshops" and later inspected by the authorities (Procuraduría de Trata y Explotación de Personas 2016).

Meanwhile, much of the debate on this sector revolved around the question of why the workers endured these conditions. For some, the answer could be found in cultural traditions and practices. As others have shown (Montero 2014), this was one of the main arguments put forth by the owners of the brands who subcontracted the sweatshops. These assumptions were also present in judicial approaches. For example, one of the defendants in the criminal case regarding the tragedy in Luis Viale argued that it should be treated as a culturally motivated crime. This is because in the Bolivian community, to which the defendant belonged, this form of work was culturally accepted as legitimate.[4] This argument sadly relates to that put forward two years later by a federal judge regarding a different court case. On that occasion, he ruled in favour of a popular brand that had been taken to court for outsourcing its production, arguing that the production relations in those establishments were based on the traditional Aymara community organisation known as *ayllu*, in which an extended family cooperates through labour in a common land with no individual appropriation of profit. Of course, these arguments were highly contested by political organisations and academics (see also Gago 2017). However, they certainly contributed to normalising the existence of this kind of labour and blaming the workers and their communities for their own suffering.

4 https://defensoria.org.ar/noticias/satisfaccion-de-la-defensoria-por-el-fallo-por-el-incendio-del-taller-textil-clandestino-de-luis-viale/.

In contrast, another trend in this debate described the sweatshops as sites of 'slavery'. In this view, emphasis was placed on coercion and extreme exploitation. Though in some cases this undeniably took place, the general implication of this position was that workers were "enslaved", and therefore could not resist the crimes inflicted upon them. In other words, they were deprived of their agency and judgement, and the complexities of the industry were conflated into the most serious part of the spectrum. This vision also contributed to the further stigmatisation of workers, since it was again emphasised that it was employers of foreign origin (mainly Bolivian) who followed these practices (see also Benencia and Canevaro 2017; Gago 2017; Arcos 2021).

In sum, the public debate moved between two poles. On the one hand, this form of labour was seen as 'pre-capitalist', as it relied on ancestral customs and traditions. And, on the other hand, it was defined as a deviation from capitalism - it was a crime, a labour relation that constituted enslavement and the excessive appropriation of surplus value. What these views have in common is that migrant communities are denigrated and blamed for the problem. But flesh and bone workers, their families and the intimate relationships through which they hope to build a better future, have been absent from the debate. Even in the trial held after the tragedy of Luis Viale, kinship was surprisingly downplayed by the judges and lawyers, as Ayelén Arcos has shown (2021).

Yet, these sweatshops (either private or family-run) were, and to a great extent still are, the norm in garment manufacturing in Argentina. The question I pose is: How can one give an account of this generalised production and labour without stigmatising its workers and their communities? In this respect, the argument of the present chapter also contains a political stance. As mentioned above, throughout years of research, I have been personally involved with workers and have actively collaborated with their initiatives that addressed the inequalities they experience and suffer. To do them justice, I wish to emphasise the social inequalities that political and economic structures inflict on their lives as migrant workers in a highly exploitative industry. I explore how they live with these inequalities in complex ways that include both acceptance and contestation, involvement in economic initiatives for individual profit and solidarity with kin and community members. My standpoint resonates with what Nicole Constable has called "the limits of the agent-victim binary" in the analysis of labour migration (2009, 57). In her ethnography of migrant working mothers in Hong Kong, she refused to depict these women either as passive victims who lack choice or active agents in full control of their circumstances, and she sought to contribute to the struggle for social justice by neither romanticising these women or denying the exploitation and discrimination they experience. Instead, she intended to "see them as people, not just

as workers" (Constable 2014, 40), which involves addressing how people live with, submit to or try to transform structures of oppression. In a similar vein, in this chapter, I do not wish to conceal the suffering that these workers endured nor contribute to their victimisation. As they recognise and reflect on, they are neither passive victims nor vicious victimisers. My analysis will try to capture their capacity for judgement and understanding of social structures, but also their human contradictions and desires. Much of the debate in this sector has revolved around the question of why workers endure these conditions. In the next sections, I instead ask how they came to be a part of the industry and how they negotiate ambivalent social and intimate relationships to make sense of the workings of the industry in their individual and collective efforts to live a better life.

## 3 Migration, Kinship and Social (Re)Production

During my fieldwork, I came to know many migrant garment workers who were active in building the union and its cooperatives. All of them had previous experiences working in the industry and had arrived in the country between the 1990s and the first decade of the 2000s. During the 1990s, the parity between the Argentine Peso and the US Dollar made Argentina a desirable destination for migrants from neighbouring countries who expected to send remittances to support their families (Pacecca and Courtis 2008). In the following decades, the flow of workers from Bolivia, Paraguay and Peru continued. According to data provided by the last National Census in 2010, after the recovery of the Argentine economy around 2003, these communities grew considerably (Calvelo 2012). These migrant communities became the main actors in the expanding universe of the garment sweatshops in Buenos Aires.[5]

As other studies have shown, kinship and community networks are central to understanding the emergence and proliferation of this form of labour (Arcos 2021; Bastia 2007; Benencia 2009; Gago 2017; Rivera Cusicanqui, Colectivo Simbiosis, and Colectivo Situaciones 2011). These relationships explain how individuals migrated to Argentina and found their way into the world of sweatshops. Such was the case of Claudia, a young mother of two who arrived in Argentina in February 2007 to work at her cousin's garment sweatshop in the City of Buenos Aires. She had just finished secondary school in La Paz, Bolivia

5 Of course, garment production was not their only occupation as construction, domestic and care work and horticulture were also prevalent activities for the newly arrived (Benencia 2009; Halpern 2005; Magliano 2017; Pacecca and Courtis 2008; Pizarro 2007).

and decided to accept the job because she thought that while living in Buenos Aires she would be able to work and continue her studies. Her cousin offered her US$100 a month and to pay for her travel expenses, though she would have to pay him back once working. So far, so good - she thought this was a fair deal.

However, once in Buenos Aires she realised with great disappointment that the working conditions were harsher than she expected. How Claudia described life in the sweatshop is almost identical to what so many others have recounted me over these years. They lived and worked in very precarious conditions, working from 7:00 am until 2:00 am with only short breaks to eat. The pay was meagre and only given if requested, and they rarely left the place for fear of being stopped by the police, as most of them did not have legal documents. This fear was reinforced by the owners, who did not want neighbours to see people coming in and out of the place because it would give them away to inspectors. Because Claudia had no previous experience in sewing, when she arrived she took care of her cousin's baby and cooked four meals for everyone. In between, she started to help out doing simple tasks such as cutting threads or sewing buttons. She reflected on this learning process in the following terms:

> My cousin, they tell you, gave me that advantage of having helped me for so long. 'I am going to teach you how to use a machine', he said. It's like you pay your dues and start as an assistant or cook, and then you start going up to the machine. I learnt how to use the overlock machine first. (Interview, Buenos Aires, March 2021)

Claudia uses a spatial metaphor to describe the different activities she developed in the sweatshop. She 'ascended' in the working rank by 'going up' to operate a machine. As workers received piece-rate payments, she believed that if she worked efficiently and long hours this would improve her income. But she also describes a particular kind of relationship with employers or employing relatives that resembles what Silvia Rivera Cusicanqui (2011) has conceptualised as "differential reciprocity" (*reciprocidad diferida*) within the universe of the migrant sweatshops in Buenos Aires. In clear contrast with the notion of 'slave' that permeated the debate on this type of labour, she argues that these bonds express an exploitative labour relation that is sustained by the expectation of "paying one's dues" (*derecho de piso*) to later progress to better work and a better life. But as Claudia would soon find out, that could never be an individual endeavour.

Spending almost all of her time in the sweatshop, the place became her home and a space to foster intimate relationships. There she met Luis, her husband and the father of her children. He had arrived in Buenos Aires only

a couple of months after her with the help of his sister and brother-in-law, who worked in the same place. Luis played football with other members of the Bolivian community who met every weekend for a game in the Indoamericano Park.[6] Many workers have told me that sport and cultural activities were fundamental places to build networks, share information and, most importantly, compare their working conditions and pay with that of others and to hear about new opportunities. There, among other fellow countrymen, Luis came to realise that they could leave the sweatshop to work in another place with much better conditions.

By then, it was already 2009 and the couple had kept their 3-year relationship a secret. When they decided to leave, they disclosed it to Claudia's cousin and the rest of their family members. "We had to leave as a proper couple, otherwise it would have been difficult", she explained. It was important to make it official. Then she elaborated that they knew that employers preferred couples for two main reasons: First, because by working together they could deliver more production and quicker. And second, it was more reliable that they would keep the job for longer. As she put it: "single people work, they try it out for a bit and then leave". By 2014, when the couple managed to become 'independent' and start working from their home, they realised it was still a critical issue to secure work orders. They had bought two machines from the couple that owned the last sweatshop they worked in, and Luis started to go regularly to Avellaneda Street[7] to find work. But the manufacturers demanded "quantity" and did not trust that a couple alone could provide it. They had to fall back to Claudia's cousin who by that time had opened a shop in Avellaneda Street and only cut and distributed work. She did not like the idea, but they decided they had only two options: They could either working for him, as he would not 'demand' too much, or get at least 10 more people to live and work with them, according to the manufacturers' demands. That would have involved building rooms in the roof, she recalls, laughing to highlight the irony of the fact that the only way to become 'independent' was to make other workers 'dependent' on them.

How Claudia narrates her migration to Argentina, her first steps in the industry and building her family demonstrate that kinship, intimate

6 Brenda Canelo (2013) has analysed the importance of certain public places of the City of Buenos Aires for the sociality of migrant residents and their struggles with state agencies over the right uses of those places. The author has shown the relationship between space and their constitution as political actors that claimed the right to be visible in public life.

7 Avellaneda Street is a very busy street in the neighbourhood of Flores, Buenos Aires, famous for the number of garment shops that sell bulk products made in local sweatshops at very low prices.

relationships and community networks are key to the consolidation of the outsourcing system in the textile industry and the dissemination of family forms of production in the workers' homes. The piece-rate payment system allowed the dominant actors in the industry to enlarge their profits without bearing the cost of the reproduction of labour, which was transferred to the most vulnerable segments of the supply chain. But also, both when they were employed by others and when they became independent by working in their homes, these relationships became fundamental relations for the production of commodities. The fact that employers and manufacturers 'preferred couples' indicates that building a family was not only an intimate issue, but also critical to continue in this business. Thus, intimacy, kinship and the community anchored forms of labour exploitation and were not necessarily harmonious. Claudia's relationship with her cousin and her disappointment with the work conditions he offered show that they could be experienced as deceitful and a source of suffering.

However, the fact that she and her partner sought different places to work, and even built their own, show that workers were aware of these inequalities and actively mobilised or created relationships that allowed them to pursue a better life, even in highly adverse circumstances. In the context of growing police harassment and raids, the story of Violeta points to how kinship and the community could become important assets to create alternatives and seek protection. "After Viale we were already under scrutiny", Violeta reflected one afternoon while we were sitting in the office of the cooperative she heads in the City of Buenos Aires. She had arrived in Buenos Aires almost a decade earlier than Claudia. She travelled from her hometown, Copacabana, in 1993. She arrived with her father when she was only 17 years old to work in a sweatshop owned by a rather distant relative. She had worked there for a couple of years and managed to pay for her siblings to travel to Buenos Aires. As in Claudia's case, Violeta also met her husband and had her first child in the sweatshop. The birth of her baby changed everything. She suffered from seeing him grow "locked up", because children in the sweatshop were kept in a closed room all day so they would not cause problems in the workplace. So, the couple rented a small house and moved there with two of her siblings. In great detail, Violeta told me about the many times the police knocked on the door of their home:

> They came to bother us, the police. They knocked constantly on the door because when the police car went by they used to see us loading or unloading cuttings. So later one of them would come back. We would let him in, and he would say 'this is a sweatshop'. 'Yes, it is, but we work as a family', I would reply. And then he would say 'if you do not have legal

> paperwork [*habilitación*] there will have to be a raid'. 'I am going to start with the paperwork, I will do something. There isn't anybody else, you can come inside', I always said. But he would refuse. (Interview, Buenos Aires, March 2021)

This experience was a shared concern for most workers, and many usually emphasised the fear and constant stress they endured as they felt they had to live and work 'in hiding'. Violeta's emphasis on the fact that only family members were working in the house was a way to protect themselves from police persecution and, at times, extortion. In the context of growing accusations of exploitation and 'slavery' within the sweatshops, it was a way of stating that they were not committing a crime. They were lucky that the inspection never came, as it did with other workers and families. For example, between 2007 and 2015, Claudia and Luis endured at least eight police raids pn their workplaces. Six of them took place in her cousins' sweatshop, another one ended with a court-ordered closure and the imprisonment of the woman who employed them. The last one in 2015 took place in their own home.

Eventually, Violeta learned that the only thing that could protect them in the long term was to register their workplace with the Government of the City of Buenos Aires. During working hours, the sound of the machine was always accompanied by the sound of the radio, particularly the programs run by members of the Bolivian community in Argentina.[8] In one of these programs, a prominent leader of the community often spoke about the harassment endured by their fellow countrymen working in sweatshops. Violeta remembers that he would advocate for their 'rights', and assert that they should not be asked for bribes to work. Through this radio program, she got ideas about how to improve and make her workplace safer, for example by buying fire extinguishers. She even attended a meeting hosted by this man to get advice and information.

But soon, she found out it would be impossible to register a workplace located in a home. In this context, her family once again became a resource for seeking protection by inventing safer alternatives. Violeta came up with the innovative idea to work together in a new place outside of their homes. She met one day with her uncle, a cousin and her brother and sister. By that time, they did not live with her, as they had married and developed workplaces in their homes with their partners. Violeta suggested that they rent a bigger warehouse and move their machinery there. Her brother and his wife moved

8 For a recount of the development of these Bolivian radio stations in the City of Buenos Aires see (Blasco 2020).

in with her sister and husband so that they could save some rent money and afford the project. A couple of months later they rented a place to work. Unfortunately, the conditions of the building did not conform to the requirements of the Government for the registration and they had to continue to work there without legal papers.

Of course, not all of these workers had blood relatives in the country to whom they could turn to find a job and secure their livelihood. However, we should not see kinship as a pre-given relationship or the family as a fixed entity, but rather as a practice of creating "relatedness" (Carsten 2000). As Daniel's story points out, the industry also allowed many workers to forge kin-like bonds. Daniel arrived alone in Argentina from Santa Cruz de la Sierra, Bolivia, in 1998. He was 34 years old and it was not his first journey. He had left his rural hometown, Los Negros in the Province of Vallegrande, to live in the big city with his grandfather at the age of 12. In Bolivia, he had worked his entire life as a bus driver. For 10 years, he was the general secretary of a driver's trade union. In the late 1990s, he decided it was time to leave. He reflected: "I worked for so many years and I never saw how I would be able to make progress. I would never be able to buy a house. Maybe I could by a car, but not more … I rowed [*remé*] so much in Bolivia …". Initially, he intended to borrow money from his siblings: "I said, 'well I'm going to Argentina', but I needed money to start, and you think that the family are the ones that have to help. So it is done, we put together a little [money] and I then return" (Fieldnotes, Lomas de Zamora, Province of Buenos Aires, June 2018). They refused, but despite his disappointment, he decided to travel anyway: "I left with nothing, I only had enough money for the trip". Once in the bus terminal of the City of Buenos Aires, he set out to look for an acquaintance who was a bus driver in Santa Cruz and had travelled some years earlier. The man never picked up the phone, so he asked another man he had met on the bus for advice. This man gave him the address of a cheap guesthouse in the neighbourhood of Paternal. Once there, he started looking for work and the owner of the guesthouse introduced him to the owner of a nearby sweatshop. Like many others, he took the job and worked as an assistant until, confident he could learn, he 'sat on' the machine.

After a couple of months, a fellow worker offered to take him to the crossing of Cobo and Curapaligüe, a famous corner where sweatshop owners recruit new workers. He took a new job and travelled to Junín, a small town 200 km away from the City of Buenos Aires. In that sweatshop he met his wife, Clelia, who had arrived from Peru. As in Violeta's case, the couple decided to leave when their daughter was born. "We had no space, the three of us slept in a bunk bed. My wife slept with the baby to one side and I lay in the opposite direction just to fit in", he remembers. Back then he started to think about

'independence'. "There I realised that, if these fellow countrymen came to have all of this, with many employees like us, I thought to myself, why can't I do it?" However, the desired independence took several years to achieve. Meanwhile, they worked in a couple of sweatshops for other people. Their daughter fell ill, and the doctors said that her respiratory problems had been caused by the dust from the machines.[9]

The couple got a new job in Villa Celina, Province of Buenos Aires. This time they rented a separate room from the owner of the sweatshop. That way, they would not have to travel back and forth to work and could also have a private place for the family. This man became an important person in their lives, as he helped them buy their first machines to start taking orders for themselves. He was from Daniel's hometown, which connected them in a very special way. As Daniel remembered, "He told me: 'You will never be an employee again, you will live here, I will give this house here, and you will pay me later. If you need money, I can lend it to you'. He told me … this was a very important step for us to have our own sweatshop". It went very well. Daniel and Clelia proudly told me that at one point they had 30 machines. They rented a place in Villa Celina and employed numerous workers. They had so many work orders coming in that they also shared some of the work with Clelia's brother and his wife, who were working in their home. However, it didn't last. In 2012 they left for two weeks to the Province of Córdoba. Daniel met a man that gave him the option of moving his business there. He considered the idea because he thought it would allow them to improve their position. Plus, the family had never been on holiday, so he bought a new SUV and they drove together. Looking back, he regrets having told the owner of the place they were renting that they would be away. They returned to find that everything had been stolen. According to Daniel, out of 'envy', the man told the workers that they would not come back and therefore would not pay their wages. This had incited them to take anything they could find and then leave. Clelia narrated this, emphasising a great disappointment. "I did not feel that they were our employees. To me, we were like a family. If we had meat, everyone had meat. If we had rice with a fried egg, everyone had had rice with a fried egg". She described their effort to create equality by sharing food, which diverged from her experiences working for others.

Once again, they had to start from scratch. As the family could not afford the room they lived in anymore, they moved to the Campo Tongui, a popular neighbourhood in Lomas de Zamora, Province of Buenos Aires, which was

9 Respiratory illnesses are very common amongst garment workers as the sewing process liberates particles of dust that come from the fabric. Some studies have also shown the prevalence of diseases as tuberculosis due to working and living in overcrowded spaces (Goldberg 2014).

created in 2008 after a land occupation. There, they rented a wooden shack and asked around for work. The neighbourhood was full of sweatshops working for the nearby market of La Salada. For some time, Clelia went to work for her brother, but Daniel did not want to go himself because he felt it was a disgrace to 'be the employee' of someone he used to employ. Later, Clelia also felt mistreated. This left the couple with great bitterness toward this relative that, they thought, had treated them "worse than employees" when things started to go wrong for them. As they grew a distanced from these blood relatives, they drew closer to new people from the neighbourhood who helped them. In particular, Daniel became *compadre*[10] to a fellow countryman and neighbour when the man offered to lend them a machine to complete some garments. They would go to his house very late at night, after he had stopped working, to use the machine. He also introduced Daniel to a group of Bolivians who organised a *pasanako*,[11] which allowed him to grow in the business, buying new machinery and supplies. Finally, he lent him the money he needed to buy a house nearby.

The life stories of these three workers show that, in the context of a process of international migration, kinship, intimate and community relationships become fundamental social relations of (re)production in this bourgeoning outsourced industry. These relationships facilitate migration and the projection of a better future in a new country, and also provided opportunities to earn a livelihood. Workers rely on those ties to learn the job and develop in the garment sector, but also create new meaningful and intimate relationships in their destination as they pursue 'progress' and 'autonomy'. Their stories portray that intimacy, the family and the community are mutually constitutive of capitalist social relations and that labour is lived and performed through 'concrete' relationships with others (Narotzky 2018; Harvey and Krohn-Hansen 2018). Moreover, as feminist scholars have long argued, capitalist accumulation is sustained by women's unpaid labour in the home (Federici 2013; Bhattacharya 2017). However, in the garment industry in Argentina, the reproduction of labour, women's work and the intimate social ties it fosters were not confined to what is often conceptualised as a distinct domestic sphere, especially when

10 *Compadre and Comadre* in Latin America describe the relationship between the parents and godparents of a child, but can also refer to kin-like relationships forged through life thus establishing a difference between those who can be seen as friends and those who -even if not blood related- are regarded as part of one's family.

11 The *pasanako* or *pasanaku* is a collective savings and financing system widely used by the Bolivian community, although it also exists in other countries under different names. Each participant contributes every month with a sum of money and receives the total funds only once.

families began setting up their initiatives at home. Intimate relationships were also integral to the configuration of capitalist production. These networks bring together the production of commodities and the reproduction of the labour force in the sweatshop industry. Thus, production and social reproduction cannot be conceptualised as activities that take place in distinct sites, nor through radically different relationships with contrasting rationalities. Or, as Viviana Zelizer (2005) has famously argued, the market and intimate forms of sociality are not altogether 'hostile worlds', even if people and social scientists insist on placing moral boundaries between them. The author questions the assumption that the market is defined by calculation, competition and potential exploitation, while relationships with kin and fellow community members rest on disinterested solidarity, reciprocity and mutual aid. On the contrary, these workers' lives show that the family, intimacy and community contribute to finding a job that was experienced as painful and exploitative, but also contributed to saving capital, investing and developing their own 'independent' initiatives. Additionally, the industry and doing business allowed them to create kin-like bonds of trust. None of these entanglements between intimacy and the economy were lived without conflict, as relatives and fellow countrymen could be seen both as refuge or source of deceit and exploitation. Workers relied on and negotiated these intimate and kin relationships in the search for a better life and future. However, as we will see in the next section, these bonds also became the basis for the development of the textile branch within UTEP.

## 4 From the Home to the Cooperatives

"We are interested in the cooperatives. We want to know more about it, so we came here to listen", says a man in his 50s while he got comfortable in his seat. Immediately, Andrea, an activist from the union, explained their objectives. She articulated that it sought "to organise and fight for basic labour rights for popular economy workers, those who do not have an employer, those who work from home or in the streets". Then she described the long road that took them to develop the idea of creating *Polos Textiles* (textile production centres):

> When we started our activism with the garment workers, what we saw is that in most cases they worked in their own homes, in very bad conditions, and that because they were not able to register the workplaces they were very vulnerable to harassment by the police or the inspectors form the Government of the City of Buenos Aires, but also to the exploitation of the owner of the brands or the manufacturers. That is why we came

> up with this idea of creating *Polos,* which are common workplaces that allow having better and safer work conditions but also to get together and organise for better pay and to negotiate with manufacturers. To do this, first, we rent a warehouse that we know we can register, and every worker has to move their machinery and work instruments to that place. At the same time, we start the registration of the worker cooperative and every *compañero* [comrade] has to register as a *Monotributista Social*,[12] so that eventually you can retire and you get access to the health insurance that the union provides. Also, every worker will get the Complementary Social Salary. (Fieldnotes, City of Buenos Aires, August 2018)

The words of this activist synthesise the union's organisational proposal for the sector: the formation of the *Polos*, common workplaces that allow workers to move their work activities out of the family home. That is why the main motto of the organisation is: "The *polo* to work, the house to live in". The formation of the textile branch within the union sought to propose an alternative way of organising work and production together with the recognition of basic labour rights. That is why she stressed the importance of registering the cooperative and each worker as *Monotributista Social,* and of the Complementary Social Salary, a monthly income supplement for popular economy workers guaranteed by the state.[13]

Since I began my fieldwork, I participated in numerous meetings like the one narrated above. This was the first step towards the formation of a new *polo* and was usually followed by two or three assemblies after which the search for a warehouse to rent began. When I started my fieldwork in early 2016, there were 4 *polos* in operation. In these years, the growth has been exponential: by 2020 only in the Metropolitan Area of Buenos Aires there were already 26 *polos* that brought together more than 500 workers. For these workers, the relationship with the union introduced a new horizon of expectations and allowed new ways of projecting a better future through the creation of the *polos* and collective production.

Some of the workers that became part of the union had previously participated in ethnic, political or neighbourhood-based organisations. In the City of

12 The Monotributo Social is a low-income tax rate that entitles self-employed workers to retirement benefits, health insurance and the ability to invoice customers.

13 The Complementary Social Salary was established after the three major popular organisations in Argentina (CTEP, Barrios de Pie and the Corriente Clasista y Combativa), tabled the Social Emergency Law, which was finally approved in December 2016. In 2019, these organisations came together to create UTEP.

Buenos Aires, prominent leaders of the Bolivian community had been important actors to summon their fellow countrymen, either personally or through community radios, to assemblies or meetings to discuss this organisation proposal. In the periphery of the city, many workers also had previous experiences of organising and participating in community centres or soup-kitchens in their neighbourhoods. Such was the case with the *Polo Textil Miró*, the first one to be created. Ana, its founder and president, often affirms that the "history of *polo* began with the struggle for the neighbourhood". In the context of the land occupation that created their neighbourhood in 2006, she met a group of activists that were later founders of this union. Since then they have forged a relationship of trust and lasting affection that years later allowed for the creation of this first *polo* which, in turn, prepared the ground for many more to come.

If the dynamic of the industry had brought together the production of commodities and the domestic sphere, both spatially and relationally, the union sought to separate them. However, kinship, intimacy and the community remained key aspects to attain union and productive organisation. The development of increasing numbers of *polos* was supported by the family, community and work relations of those who became part of them. Thus, the process of creating a new *polo* started by calling to these meetings the acquaintances of their national communities, neighbours or relatives that made a living in the garment industry. Each group made great efforts to save and generate a common fund to cover the costs of rent, but also to do renovations, such as improving the electrical installations, placing security elements and fire extinguishers or buying furniture and appliances they would share every day. Once the workplaces were ready, every worker moved their machines into the *polos*. These objects significantly condensed the relationships and previous experiences that contributed to the creation of these new workplaces. For example, in the *Polo Textil Miró,* the first machines to occupy the space belonged to Mónica, Ana's daughter and the secretary of the cooperative. Mónica had obtained them from one of her employers who had given them to her as a means of payment. At that time, Mónica was working at this man's sweatshop sewing garments that would be sold in La Salada. He was also her boyfriend at the time. They later separated but continued to work together. She received his cuttings and produced those garments in the cooperative together with her 'workgroup'.

As in the case of the *Polo Textil Miró,* most *polos* developed into 'workgroups' based on kinship or trust relationships. This implied that, within the workplace, each family or affinity group continued to work together sewing the cuttings they received from manufacturers. Of course, 'workgroups' were not necessarily fixed. Sometimes other members of the cooperative who were

temporarily out of work could participate in the group in a specific work order and receive individual payment for this job.

The organisation of work following kin or affinity ties was not without tensions. For example, on one occasion Ana and Mónica had an intense argument because Mónica had given part of a job to a new member of the cooperative instead of proposing it to her, because she was her mother and was currently without a job. These tensions, as well as those that emerged among 'workgroups', were tempered by the intervention of the activists from the union. They usually proposed long talks to try to find an agreement or middle ground between the sides involved in these conflicts.

However, this does not mean that no attempt has been made to address and change the production processes, quite the contrary. But doing so involved the negotiation and construction of agreements between families and affinity groups. To illustrate this point, I turn to a debate that took place during an assembly in the *Polo Textil Miró* in October 2016:

Mónica goes to the front of the semi-circle and speaks to her colleagues about a recent work order she received. She mentions that she invited the man who offered her the job to the assembly, but that he could not go. She then explains that it is a job for a 'big factory', which pleases everyone in the room. She gives the name and I recognised the brand. She was asked to sew T-shirts and jackets for the summer. The factory would take the cuttings to the *polo* and later pick up the finished garments, so they did not have to arrange transport themselves. Also, they would pay the total price per piece upon delivery and repair the machines if needed. This was something that she particularly stressed, because "many times you cannot make it before the deadline because of the machine, not because of the worker". Verónica, Mónica's cousin and a member of her workgroup, added that it would be a large work order, between 1500 and 2000 pieces. Mónica continued: "He came here to see the workplace, he explained the offer and I told him that I was very interested, but that I can only commit on my behalf. Well, me and my brother, mother, sister-in-law and my *comadre*. I cannot do so on behalf of the whole cooperative. That is why I wanted him to come to speak directly to all of you. They want us to sign a contract for a year and they need to know who will work because they also pay a bonus and *aguinaldo*.[14] It is like being formally employed by them".

Raúl wanted to know more about the relationship between this particular man and the factory. Mónica said that he was paid a 'salary' to find sweatshops

14 *Aguinaldo* is the 13th salary established by Argentine Labour Law.

for them. Gastón, an activist from the union, suggested that this looked like a more serious offer than the ones they could find around the area. Raúl asked how they met him. "He was Coco's employer [referring to a neighbour that had briefly participated in the *polo,* but had returned to work at his home]. The thing is, Coco did everything wrong and the guy doesn't want to work with him anymore. Coco hired three other workers to do this job". Another worker mentions that she also knows the man because he provided work for one of her neighbours. Gastón suggested they ask Coco for a reference and also invite the man to another meeting so that everyone could talk to him directly. "I think that if he guarantees a fixed number of pieces for everyone in the cooperative, you should embrace this opportunity", he voiced. Héctor and Raúl, however, did not look as convinced.

> I will talk to the man, but I am hesitant because in this kind of work they measure every stitch with a centimetre, for example", said Raúl.
>
> "Well, this is not for the market", Mónica pointed out.
>
> "No, but maybe it is a much better-paid job, we need to look into that", suggested Gastón.
>
> 'Maybe', said Héctor, without looking too excited. 'I think we need to talk to him, but we need to confirm what he is going to send. Because he might say, 'I will pay X amount per piece', but what if he sends a very difficult garment and we cannot change it? It may be the case that in three months he sends something worthwhile, but then many other times he sends work that is not. (Fieldnotes, Lomas de Zamora, Province of Buenos Aires, October 2016)

The *polo* was inaugurated in February that year, and these kinds of debates were frequent. Workers and activists were experimenting with different alternatives to improve the work process and conditions in the cooperative. The way in which the debate developed that particular day shows how decisions that would affect the direction of the cooperative and their work had to be negotiated and agreed upon by families and workgroups, not by individuals. Hence, Mónica argued that she could only 'commit' on behalf of her relatives, but not for the cooperative as a whole. That afternoon, tensions and differences were expressed between the families, or rather between those who spoke for them: Mónica, Raúl and Héctor. These tensions must also be understood in relation to preferences, previous work experiences and the expertise that each of them had. Raúl had been hesitant at the meeting, claiming that it would be a more complex job because it required more precision than the jobs he and his wife used to do for the market manufacturers.

By saying that the job might "not be good for them", he implied that it could be too complex and therefore take them longer to finish it. If that were the case, they would receive a lower pay. Mónica later explained to me that the most important thing for her was the 'security' that this offer entailed because it would provide a regular supply of work. It was her understanding that Raúl did not want to accept it because he did not want to stop working for his employer, even though he was paid very little. Instead, she viewed this offer as an opportunity to 'be better off'. She explained: "It's not more difficult. Indeed, it's not a job for the market, but if you do it well it is the same. And you work with fewer worries. It's more reliable and you know exactly how much you will have to work". Monica had previous experience with this type of work for brands, which is usually more standardised, and was convinced that it was not more complex, even if they had to be more attentive. A couple of days later, when everyone had the chance to think it over, the offer was accepted. They decided that both Héctor and Mónica were going to be in charge of controlling the quality of the work developed by less experienced workers.

The debate that took place in the above scenario illustrates the effort to reorganise production as a horizon that would allow large-scale production and a higher income. Still to this date, promoting the collectivisation of production inside and among the different cooperatives that belong to the union continues to be an ongoing process of experimentation. In some cases, this is done by certain 'workgroups' in specific cooperatives, which determined the existence of multiple, variable and often unstable production collectives. In this respect, the large work orders that the union secures to produce specific garments for the State, such as school uniforms or disposable gowns for health workers during the COVID-19 pandemic, were particularly important. In these cases, it becomes vital to address and transform how work is performed inside the cooperatives and to promote collectivisation. But, to navigate the dynamics of the industry and to try to secure a better pay for workers always requires building agreements between families, or groups of affinity, by negotiating expectations and preferences.

Recent studies on garment worker organisations in Argentina have pointed out the difficulty for traditional trade unions to effectively represent and engage workers, given the growing dispersion and individualisation of the work force due to outsourced production (Salgado 2012; Lieutier 2010). Others, in turn, have argued that, more often than not, ethnic identifications amongst grassroots workers organisations have been a factor that hindered their class-based organisation by concealing class differences in the communities and favouring the better-positioned groups (Montero Bressán and Arcos 2017; Caggiano 2014). However, the experience of the creation of the *polos* within UTEP

points in a different direction. In this case, community relationships and kinship have been fundamental resources to organise as workers, build the union and dispute their share of profit in the industry, securing a better position in the market. However, this requires everyday political work that brings together activists and workers to negotiate and learn according to their relationships, preferences and desires.

## 5 Conclusion

Migrant workers are at the centre of political and academic debates on precarity and the future of collective labour politics. How will these workers organise to gain rights? Will their organisations emerge within or beyond the workplace? What lessons can they provide to emancipatory politics and workers solidarity more generally? The experiences of garment sector workers that belong to UTEP in Argentina offer possible answers to some of these pressing questions. Through an ethnographic analysis, this chapter conveyed the everyday processes of precarisation of labour in the garment industry, but also the forms of collective organisation that are emerging from those experiences.

The ethnographic material presented shows how regional processes of migration, neoliberal policies and capital strategies shape the lives of garment workers, placing them in the most vulnerable segment of the industry. However, as the anthropologies of labour have taught us, we should be wary of assuming this is a top-down and unidirectional process. "Capital does not circulate as an abstract force, but has to accommodate to the specific social and cultural formations that both facilitate and limit the possibilities for accumulation" (Harvey and Krohn-Hansen 2018, 1). In this vein, this sector and the precarious forms of labour it fostered came to life in the intersections of kinship, intimacy and the community, but also through workers desires for a better life through 'progress' and 'autonomy'. Rather than asking why they endured painful and exploitative work conditions, this chapter addressed how they came to be a part of an industry in which relatives and fellow countrymen could be seen either as refuge and protection, or a source of deceit and exploitation. Nevertheless, workers relied on and navigated these ambivalent social bonds in the search for a better future through the creation of their sweatshops and the formation of the textile branch within UTEP.

To conclude, I want to argue that recognising workers agency to accept, deal with and try to transform the ambivalent nature of the social and intimate relationships that 'generate' capitalism in everyday life (Bear et al. 2015) has implications for understanding how the precarisation of labour in this sector

developed, but also for the possibilities and forms of collective labour politics amongst migrant workers. If precarity is lived and experienced at work, but also in the neighbourhood, through domestic lives, kinship and social networks (Lazar and Sanchez 2019), that is also where the foundations of transformative labour politics and worker solidarity will be found. Within UTEP, migrant garment sector workers have redrawn the possibility for collective organisation by acknowledging and accommodating, rather than denying, community relationships, kinship, intimate experiences and desires. By incorporating them into their everyday political work and processes of dealing with the market, they reinvent production dynamics and claim workers' rights.

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## References

Abal Medina, Paula. 2017. 'Los Movimientos Obreros Organizados de La Argentina (2003-2016)'. In Abal Medina, Paula, Ana Natalucci, and Fernando Rosso, *¿Existe La Clase Obrera?*, 21–62. Buenos Aires: Le Monde Diplomatique Capital Intelectual.

Arcos, María Ayelén. 2021. 'El Incendio de "Luis Viale". Un Caso Sobre Migración y Organización de La Producción En Los Talleres de Costura'. In *¿Quién Hace Tu Ropa? Estudios Sobre La Industria de La Indumentaria En Argentina*, edited by Andrés Matta and Jerónimo Montero Bressán, 131–56. Buenos Aires: Prometeo.

Barattini, Mariana. 2010. 'Trabajo esclavo y organización: el caso de la Unión de Trabajadores Costureros en Argentina'. Edited by El Colegio de México, A.C. *Estudios Demográficos y Urbanos* 25 (2): 461–81.

Bastia, Tanja. 2007. 'From Mining to Garment Workshops: Bolivian Migrants in Buenos Aires'. *Journal of Ethnic and Migration Studies* 33 (4): 655–69. https://doi.org/10.1080/13691830701265628.

Bear, Laura, Karen Ho, Anna Lowenhaupt Tsing, and Sylvia Yanagisako. 2015. 'Gens: A Feminist Manifesto for the Study of Capitalism'. *Fieldsights*, 30 March 2015. https://culanth.org/fieldsights/gens-a-feminist-manifesto-for-the-study-of-capitalism.

Benencia, Roberto. 2009. 'El infierno del trabajo esclavo. La contracara de las "exitosas" economías étnicas'. Edited by Universidad Nacional de Misiones. *Avá. Revista de Antropología* 15: 43–72.

Benencia, Roberto, and Santiago Canevaro. 2017. 'Migración boliviana y negocios. De la discriminación a la aceptación. La salada como fenómeno social'. *REMHU : Revista Interdisciplinar da Mobilidade Humana* 25 (49): 175–96. https://doi.org/10.1590/1980-85852503880004910.

Besnier, Niko. 2015. 'Commentary: Intimacy through the Ethnographic Lens'. *The Cambridge Journal of Anthropology* 33 (2). https://doi.org/10.3167/ca.2015.330209.

Bhattacharya, Tithi, ed. 2017. *Social Reproduction Theory: Remapping Class, Recentring Oppression*. London.

Blasco, Lucía. 2020. 'Voces migrantes en el aire porteño. Una reconstrucción histórica de la radiodifusión de los residentes bolivianos en Buenos Aires'. *Revista del Museo de Antropología*, August, 189–202. https://doi.org/10.31048/1852.4826.v13.n2.24465.

Breman, Jan. 2013. 'A Bogus Concept? [Review of: G. Standing (2011) The Precariat: The New Dangerous Class]'. *New Left Review* 84: 130–38.

Caggiano, Sergio. 2014. 'Desigualdades entrelazadas, luchas divergentes: migración e industria textil en Argentina'. *Revista CIDOB d'Afers Internacionals* 106–107: 151–70.

Calvelo, Laura. 2012. 'La migracion internacional en Argentina hacia 2010'. *REMHU : Revista Interdisciplinar da Mobilidade Humana* 20 (39): 135–57. https://doi.org/10.1590/S1980-85852012000200008.

Canelo, Brenda. 2013. *Fronteras internas: migración y disputas espaciales en la Ciudad de Buenos Aires*. Antropofagia.

Carenzo, Sebastián, and María Inés Fernández Álvarez. 2012. '"Ellos son los compañeros de CONICET": El vínculo con organizaciones sociales como desafío etnográfico'. *PUBLICAR-En Antropología y Ciencias Sociales* Año X N° XII: 9–33.

Carsten, Janet. 2000. *Cultures of Relatedness : New Approaches to the Study of Kinship / Edited by Janet Carsten.* Cambridge: Cambridge : Cambridge University Press, 2000.

Castronovo, Alioscia. 2018. '¡Costureros carajo! Trayectorias de lucha y autogestión en las economías populares argentinas'. *Íconos - Revista de Ciencias Sociales*, no. 62 (August): 119–39. https://doi.org/10.17141/iconos.62.2018.3252.

Constable, Nicole. 2009. 'The Commodification of Intimacy: Marriage, Sex, and Reproductive Labor'. *Annual Review of Anthropology* 38 (1): 49–64. https://doi.org/10.1146/annurev.anthro.37.081407.085133.

Constable, Nicole. 2014. *Born out of Place: Migrant Mothers and the Politics of International Labor*. Berkeley: University of California Press

Denning, Michael. 2010. 'Wageless Life'. *New Left Review*, no. 66: 79–97.

Estrada Vázquez, Juan Carlos. 2010. *No Olvidamos. El Incendio de Un Taller Textil En Caballito*. Buenos Aires: Editorial Retazos.

Favret-Saada, Jeanne. 1990. 'About Participation'. *Culture, Medicine and Psychiatry* 14 (2): 189–99. https://doi.org/10.1007/BF00046660.

Federici, Silvia. 2013. *Revolución en punto cero. Trabajo doméstico, reproducción y luchas feministas*. Madrid: Traficantes de Sueños.

Fernández Álvarez, María Inés. 2019. 'Relaciones de Parentesco, Corporalidad y Afectos En La Producción de Lo Común: Reflexiones a Partir de Una Etnografía Con Trabajadores de La Economía Popular En Argentina'. *Revista de Estudios Sociales* 70: 25–36. https://doi.org/10.7440/res70.2019.03.

Fernández Álvarez, María Inés. 2020. 'Building from Heterogeneity: The Decomposition and Recomposition of the Working Class Viewed from the "Popular Economy" in Argentina'. *Dialectical Anthropology* 44 (1): 57–68. https://doi.org/10.1007/s10624-018-9509-6.

Gago, Verónica. 2017. *Neoliberalism from below: Popular Pragmatics and Baroque Economies*. Radical Américas. Durham: Duke University Press.

Goldberg, Alejandro. 2014. 'Contextos de vulnerabilidad social y situaciones de riesgo para la salud: tuberculosis en inmigrantes bolivianos que trabajan y viven en talleres textiles clandestinos de Buenos Aires'. *Cuadernos de antropología social* 39: 91–114.

Hammer, Anita, and Immanuel Ness. 2021. 'Informal and Precarious Work: Insights from the Global South'. *Journal of Labor and Society*, 15.

Han, Clara. 2018. 'Precarity, Precariousness, and Vulnerability'. *Annual Review of Anthropology*, no. 47: 331–43. https://doi.org/10.1146/annurev- anthro- 102116- 041644.

Hart, Keith. 1973. 'Informal Income Opportunities and Urban Employment in Ghana'. *The Journal of Modern African Studies* 11 (1): 61–89.

Harvey, Penny, and Christian Krohn-Hansen. 2018. 'Introduction. Dislocating Labour: Anthropological Reconfigurations'. *Journal of the Royal Anthropological Institute* 24 (S1): 10–28. https://doi.org/10.1111/1467-9655.12796.

Lazar, Sian. 2017. *The Social Life of Politics: Ethics, Kinship, and Union Activism in Argentina*. Stanford, California: Stanford University Press.Lazar, Sian, and Andrew Sanchez. 2019. 'Understanding Labour Politics in an Age of Precarity'. *Dialectical Anthropology* 43 (1): 3–14. https://doi.org/10.1007/s10624-019-09544-7.

Lieutier, Ariel. 2010. *Esclavos : Los Trabajadores Costureros de La Ciudad de Buenos Aires*. Buenos Aires: Retórica Ediciones.

Lomnitz, Larissa Adler de. 1977. *Networks and Marginality: Life in a Mexican Shantytown*. Studies in Anthropology. New York: Academic Press.

Ludmer, Gustavo. 2019. 'Estado, trabajadores y empresarios en la informalidad laboral de la industria de indumentaria argentina: 1975-2018'. *Trabajo y Sociedad*, no. 33: 465–83.

Mezzadra, Sandro, and Brett Neilson. 2013. *Border as Method, Or, the Multiplication of Labor*. Durham, NC: Duke University Press.

Montero Bressán, Jerónimo. 2021. 'Producción y Comercio Internacional de Indumentaria: Las Condiciones Laborales En Argentina y En El Mundo'. In *¿Quién Hace Tu Ropa? Estudios Sobre La Industria de La Indumentaria En Argentina*, edited by Andrés Matta and Jerónimo Montero Bressán, 23–44. Buenos Aires: Prometeo.

Montero Bressán, Jerónimo, and María Ayelén Arcos. 2017. 'How Do Migrant Workers Respond to Labour Abuses in "Local Sweatshops"?: Migrant Workers and Sweatshops'. *Antipode* 49 (2): 437–54. https://doi.org/10.1111/anti.12250.

Montero, Jerónimo. 2014. 'Discursos de Moda: ¿Cómo Justificar La Explotación de Inmigrantes En Talleres de Costura?' *Trabajo y Sociedad* 23: 107–25.

Munck, Ronaldo. 2013a. '¿Más allá del norte y del sur? Migración, informalización y revitalización sindical'. *Migración y Desarrollo* 11 (20): 43–66. https://doi.org/10.35533/myd.1120.rm.

Munck, Ronaldo. 2013b. 'The Precariat: A View from the South'. *Third World Quarterly* 34 (5): 747–62. https://doi.org/10.1080/01436597.2013.800751.

Narotzky, Susana. 2018. 'Rethinking the Concept of Labour: Rethinking the Concept of Labour'. *Journal of the Royal Anthropological Institute* 24 (S1): 29–43. https://doi.org/10.1111/1467-9655.12797.

Neilson, Brett, and Ned Rossiter. 2008. 'Precarity as a Political Concept, or, Fordism as Exception'. *Theory, Culture & Society* 25 (7–8): 51–72. https://doi.org/10.1177/0263276408097796.

Ness, Immanuel. 2015. *Southern Insurgency: The Coming of the Global Working Class*. London: Pluto Press.

Nun, José. 1969. 'Superpoblación Relativa, Ejercito Industrial de Reserva y Masa Marginal'. *Revista Latinoamericana de Sociología* 5 (2): 180–225.

O' Hare, Patrick. 2018. 'Mobilizing Concealment and Spectacle Among Uruguay's Waste-Pickers'. In *Global Perspectives on Workers' and Labour Organizations*, edited by Maurizio Atzeni and Immanuel Ness, 43–62. Work, Organization, and Employment. Singapore: Springer Singapore. https://doi.org/10.1007/978-981-10-7883-5.

Pacecca, María Inés, and Corina Courtis. 2008. 'Inmigración contemporánea en Argentina: dinámicas y políticas.' Serie población y desarrollo. Santiago de Chile: Naciones Unidas, Centro Latinoamericano y Caribeño de Demografía (DELADE), División de Población de la Comisión Económica para América Latina y el Caribe (CEPAL). https://digitallibrary.un.org/record/643872?ln=fr.

Procuraduría de Trata y Explotación de Personas. 2016. 'Talleres Textiles Denunciados En La Ciudad Autónoma de Buenos Aires. Análisis de Las Denuncias Presentadas Ante La Procuraduría de Trata y Explotación de Personas'. Procuración General de la Nación.

Quijano, Aníbal. 1977. *Imperialismo y Marginalidad En América Latina*. Lima: Mosca Azul Ediciones.

Rivera Cusicanqui, Silvia, Colectivo Simbiosis, and Colectivo Situaciones. 2011. *De chuequistas y overlockas: una discusión en torno a los talleres textiles*. Buenos Aires: Tinta Limón.

Salgado, Paula Dinorah. 2012. 'El Trabajo En La Industria de La Indumentaria: Una Aproximación a Partir Del Caso Argentino'. *Trabajo y Sociedad* XV (18): 59–68.

Señorans, Dolores. 2020. 'Economías populares, economías plurales: Sobre la organización gremial de los trabajadores costureros en Buenos Aires, Argentina'. *Cuadernos de Antropología Social* 51: 189–206. https://doi.org/10.34096/cas.i51.8240.

Standing, Guy. 2011. *The Precariat: The New Dangerous Class*. London: Bloomsbury Academic.

Wolanski, Sandra. 2015. 'La familia telefónica. Sobre las relaciones de parentesco en la política sindical'. *Cuadernos de Antropología Social* 42: 91–107. https://doi.org/10.34096/cas.i42.2303.

Zelizer, Viviana A. Rotman. 2005. *The Purchase of Intimacy*. Princeton, N.J: Princeton University Press.

Zlolniski, Christian. 2019. 'Coping with Precarity: Subsistence, Labor, and Community Politics among Farmworkers in Northern Mexico'. *Dialectical Anthropology* 43 (1): 77–92. https://doi.org/10.1007/s10624-018-9532-7.

# Epilogue

*Immanuel Ness and Anita Hammer*

The chapters of *Global Rupture* have examined the dynamics of global capital markets under neoliberal capitalism and their impact on the marginalisation of labour in the Global South, to the benefit of multinational capital and consumers in the North. They have demonstrated how states have limited room for manoeuvre in the contemporary era and mainly complied with the dictates of free markets. Through destabilising regulated labour markets and directing labour into informal conditions, most Global South states are willing partners in shaping a system of systemic poverty and inequality. Whereas states and international development agencies advance a rhetoric of resilience and sustainability through Sustainable Development Goals (SDGs), conditions and wages are far more precarious for labour and the emergent working classes of the Global South, and it is unlikely that wages and working conditions will rise for the vast majority of workers. Concomitantly, from the neoliberal regime dominating the global political economy from the 1990s to the present, working class agency and organisation has been ruthlessly crushed by nation states in the South competing for foreign direct investment (FDI) and bilateral labour migration agreements, which exploit workers in their own country and beyond. Neoliberalised capitalism unifies multinational corporations with the modern state to oppose working class organisation in a system, which has eroded the very rights of workers to be workers, but instead informal and precarious labourers and, in many instances recasting workers into self-employed independent contractors.

Whilst workers struggles are essential to building a popular movement for change, the only means to improving the conditions of more than 80 percent of the world's population, the working class of the South is rendered ineffective without a formidable class organisation on the shopfloor, amongst workers in multiple sectors of the economy, and working class organisation in the political arena. The precarity and inequality of the South's working class is evinced through the COVID-19 pandemic, which has set back development and advanced global inequality. Even the United Nations, which has developed an agenda for 'decent work' and SDGs, is complicit in promoting the global system of oppression, through failing to provide an alternative to poverty and inequality in the Global South, which in the last decade, is losing ground to the advanced capitalist countries. Initiatives by the UN to ameliorate poverty in the Global South is necessary but not sufficient in the contemporary era. We

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thus consider the absence of robust class conscious and working class political and labour organisations as the foremost impediment to significantly improving the conditions of the world's poor concentrated in the South.

Each chapters of this collection provides diverse methodological approaches and an integrated theoretical and empirical analysis to the study of informal and precarious labour in the South. As existing and established organisations have failed workers across the South, the case studies disclose the authenticity of workers' movements as springing to life from the informal workers, who continue to contest unequal power at the grassroots. The chapters provide a wide range of disciplinary approaches, from anthropology, history, sociology, economics, political economy, to socio-legal perspectives. They draw attention to feminist approaches to organising, gendered regimes, global value chains, labour regimes, social reproduction, and labour process analysis. The chapters all share a perspective of workers as subjective agents within organisations challenging capital, state actors, and international organisational frameworks.

## 1 Informal and Precarious Labour in the Global South

Each chapter in this collection validates the necessity to understand the Global South's significance in global production networks, global supply chains and global value chains, where work in the informal sectors is the norm rather than the exception. In view of the magnitude of production and services for the world economy of informal sector, the chapters of this book compel us to rebalance consideration toward workers who live and work in the Global South if we are to understand how labour is constituted in the global economy. Accordingly, the chapters demonstrate that Global South labour are a crucial source of class dynamics and at the centre of prospects for class struggle leading to a metamorphosis of global change leading to the reduction of poverty and inequality. The chapters demonstrate that workers are subjectively engaged in intense struggles to improve their conditions. However, the decline of labour organisations throughout the world and the strengthening of the alliance of capital and states often reduces the capacity of these struggles to produce sustainable organisational and political change that would improve the conditions of informal and precarious labour.

The shift in global production from North to South over the past 40 years has contributed to the significance of global value chains and production networks. FDI expenditures in the South have climbed sharply since the 1980s as states compete amongst one another to provide finance capital the most optimal conditions for the extraction of surplus value and profits. As such,

contractors in the South employ labour at significantly lower wages to lower the cost of production and services. Increasingly, women and migrant labour from rural regions of the South and abroad are positioned at key logistical hubs created by Southern states, including Special Economic Zones (SEZs) where state laws protecting workers are not disregarded. In many SEZs in Asia, Africa, and Latin America, labourers become redundant by age 30. Accordingly, neoliberalised capitalism produces a global class structure dominated by skilled and privileged workers primarily in the North.

The work that is performed is primarily drudgery and exploitative, but workers are embedded in production networks that include a range of industries: from agriculture and mining to the production of advanced technology. Workers are oppressed by abusive labour at low wages for essential products in global value chains where surplus value is extracted from workers in the South and profits are realised by multinational corporations in the North. Thus, the global value chains represent a vivid form of unequal exchange whereby value is appropriated from labour in the Global South for the benefit of the advanced developed countries. This system contributes to higher levels of global inequality as the masses in the South where sustainable development where nation states are unable to guarantee the provision of food and nourishment, education, healthcare, and sanitation to the populations in both urban and rural regions.

The contributors to *Global Rupture* make a crucial intervention to understanding the nature of the planetary working class through focusing attention on informal and precarious labour in the South as a dialectical force for radical transformation of class relations. The chapters persuasively show that informality does not augur a freeing up of labour to advance entrepreneurial pursuits, but creates a status of insecurity, vulnerability, and subordination to contractors and subcontractors in the global supply chain. Informality in the South is a decisive factor which produces systemic inequality in the global capitalist system. In this way, the working class in the South is tangibly different from the North. Though the doctrine of neoliberalism is also eviscerating labour regulations and labour organisations too, per capita GDP is growing at a far more rapid pace than in the South.

## 2 Working Class Subjectivity and Labour Organisation

In the South, neoliberalised capitalism are drawing peasants and rural labour into impoverished urban areas as it significantly expands international migration of urban populations to wealthy countries in the North and South. Taken

together, the chapters show that workers are embedded in a range of historical, political, and social contexts. and make crucial interventions in debates about the nature of labour conflict in the South, challenging the existing framework for trade unions as exclusively economistic. Plainly economism, the view that unions are strictly engaged in representing workers through collective bargaining does not contribute to tangible change. Consistently, the chapters reveal workers as engaged and motivated to transform their subordination to capital. Yet, in most instances, existing forms of labour organization that formed in the independence era must give way to the new bodies to buttress and support the class interests of workers, political and economic agency which is absent in most regions of the South.

As Global South labour has developed a subjectivity as workers rooted in opposition to capital and the state, they lack the organisational capacity and resources to challenge the existing neoliberalised capitalist system in their workplaces and communities. As a consequence, labour scholars have shifted attention to the emergence of autonomous labour organizations, in many instances aided and abetted by NGOs in the Global North. As these organisations have grown in the last 30 years, so has the literature about working class agency. Accordingly, the work of Hardt and Negri (2000) amongst other autonomists, arguing that the working class is not the key force in social transformation, has gained attention among scholars in the Western left, even if it is predominantly castigated in the South.

For more than 20 years, autonomists have exposed the fragility of existing labour organisations, but have posited a nebulous and intangible form of struggle that will liberate all people, discarding the centrality of class as the working class was growing larger and more significant than at any time in the history of capitalism. The principal contradiction is in fact class conflict between labour and capital, yet the subjectivity of labour as workers is concretised and the contradictions with capital are sharper, yet labour organisations have significantly diminished. Western leftists incorrectly interpret the lack of upsurge to the absence of class consciousness. Class consciousness is replaced by an amorphous collective opposition.

In contrast, we contend that the working class remains the transformative and dialectic force even under the global regime of neoliberalised capitalism, a view that is made evident in the case studies of this book. Indeed, as we argue in the introduction, far more workers have been proletarianized in last half century than over previous two centuries. Yet, the paradox is that as the working class has emerged as the most significant social force in the world, representative class organisations have withered and shrunken, and the vast majority of labour in the South and North remain unorganised. Concomitantly,

most labour movements lack militant revolutionary form as was the case in the 19th and 20th centuries in the Global North and independence-era South. We believe that this conundrum can only be answered through the foundation and reconstitution of militant, anti-imperialist class organisations. We do not consider that informality, poverty, and inequality can be tackled by international framework of SDGs and NGOs, but requires the formation of resilient working class organisations which unequivocally provide economic and political representation for labour, and a vision which challenges neoliberalism and the hegemony of the North over the South.

*Global Rupture* challenges the dominant left discourse about agency. We unequivocally social and political organisation as a prerequisite to drive a vibrant and sustained reordering of the global neoliberal order. Once strong labour unions that represented a minority of workers in the garment, steel, automobile, and logistics sectors, are no longer capable of representing workers. As workers establish class subjectivity and seek to form organisational structures, they are immobilised by states in the South, which compete among one another to ensure labour tranquillity and low wages to obtain foreign direct investment and incorporated into major global production networks. To institute effective working-class power, workers require class-based social organisations which unmistakeably reflect and embody the dialectical struggle for power against capital which comes into view in the material conditions and social conflict that is wielded against capital. The arena of class conflict express itself through the conscious organisation of the working class in opposition to neoliberalised capital and the modern state. This chapters of this book show that workers must struggle just for the simple right to be considered workers who are employed at the behest of capital. Our approach views the principal contradiction and class struggle as the dynamic in neoliberalised capitalism, a perspective that is firmly aligned with Marx and Engels. However, in view of the global system of uneven development and unequal exchange, the first two decades of the 21st century reveal that class struggle is advancing in the Global South, where the vast majority of humanity live, and the most extensive share of labourers are employed as informal and precarious workers.

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